

Memorandum



Date: July 7, 2005

To: Honorable Chairman Joe A. Martinez and
Members, Board of County Commissioners

From: George M. Burgess, County Manager

Subject: Resolution Authorizing the Allocation of \$850,000 from Surtax Incentive Pool Funds to Baywinds Associates, Ltd for the Baywinds Apartments; and Authorizing the County Manager or His Designee to Execute any Necessary Agreements

Agenda Item No. 8(G)(1)(A)

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) allocate \$850,000 from Surtax Incentive Pool funds to Baywinds Associates, Ltd. for the Baywinds Apartments. The development is located at 11900 NE 16th Avenue, in Commission District 4.

BACKGROUND

The BCC awarded Baywinds Associates, Ltd. \$1,000,000 of Surtax 2002 funds through R-1355-01 and \$750,000 of Surtax 2003 funds through R-207-03 for the Baywinds Apartments. The development consists of 204 rental units and houses families earning no more than 60% of area median income. The project is complete and has been fully leased up since April 2003. The following list details the configuration of the rental units:

Number of Bedrooms	Square Footage	Gross Rent	Number of Units
1	825	\$593	48
2	1,075	\$711	84
3	1,275	\$822	72

The total project cost at the time of the construction loan closing was \$16,042,000, however, a revised sources and uses statement reflects a total project cost of \$19,945,563. The development of Baywinds was financed with tax-exempt bonds, issued by the Housing Finance Authority (HFA) of Miami-Dade County with local subsidy provided by Miami-Dade Housing Agency (MDHA). The developer states that due to increases in construction costs, restoration of a historical structure, low rents received from the tenants, coupled with high taxes and particularly high insurance premiums, the total project costs substantially increased.

In addition to the 204 housing units the completed project included the restoration of the historic Burr Residence. Due to historical restoration guidelines and creating design features consistent with the architectural design of the surrounding community the total construction costs of the project were increased significantly.

In addition, the developers were required by Florida Power and Light (FPL) to perform expensive utility construction work for the site. This requirement was not anticipated and delayed the project by six months. The developer has been able to restructure the project financing, but is indicating a financing gap of \$850,000.

MDHA is requesting an additional \$850,000 be allocated from the Surtax Incentive Pool funds. This recommendation was presented and approved by the Affordable Housing Advisory Board at its September 22, 2004 meeting.

The Principals for Baywinds Associates, Ltd. are:

Stuart I. Meyers
Chairman / Shareholder
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Jorge Lopez
Vice Chairman / Shareholder
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288


Leon J. Wolfe
President / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Mara S. Mades
Vice President & Secretary / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Bruce Adams
Treasurer & Assistant Secretary / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Attached is a detailed statement of project financing for the funding of this development. It indicates the current project status of approved funding as well as the revised funding status including the proposed \$850,000 allocation. (Attachment A).

Attachment



Assistant County Manager
Tony E. Crapp, Sr.

Attachment A
Baywinds Apartments

Sources of Funds	Current Allocation	Revised Allocation	Use of Funds
Tax Credit Equity	\$4,622,000	\$6,117,438	Legal Fees, Financial Fees, Insurance, Marketing and Taxes
1 st Mortgage	9,670,000	9,670,000	Land and Construction Costs
Local Subsidy (Surtax)	1,750,000	1,750,000	Impact Fees, Water and Sewer Fees, Architect Fees and Engineering Fees
Interest Income	0	103,762	Developer Overhead
Developer Equity	0	1,454,363	Deferred Developer Fees
Additional Local Subsidy (Surtax Incentive Pool)	0	850,000	Construction Costs
Total	<u>\$16,042,000</u>	<u>\$19,945,563</u>	



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 7, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 8(G)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(G)(1)(A)
07-07-05

Resolution No. _____

RESOLUTION AUTHORIZING THE ALLOCATION OF
\$850,000 FROM SURTAX INCENTIVE POOL FUNDS TO
BAYWINDS ASSOCIATES, LTD. FOR THE BAYWINDS
APARTMENTS; AND AUTHORIZING THE COUNTY
MANAGER OR HIS DESIGNEE TO EXECUTE ANY
NECESSARY AGREEMENTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board approves the allocation of \$850,000 from Surtax Incentive Pool funds to Baywinds Associates, Ltd. for the Baywinds Apartments, as set forth in the attached memorandum; and further authorizes the County Manager or his designee to execute agreements, contracts, and amendments on behalf of Miami-Dade County, following approval by the County Attorney's Office; to shift funding sources for this program activity without exceeding the total amount allocated to that agency; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman


Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this
7th day of July, 2005. This Resolution and contract, if not vetoed, shall become effective
in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

Shannon D. Summerset

By: _____
Deputy Clerk

Budget Comparison Cash Flow (Accrual) **Baywinds Associates, Ltd - (342)** **December 2003**

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
Gross Potential	122,480.00	123,584.00	-1,104.00	-0.89	1,224,800.00	1,483,008.00	-258,208.00	-17.41	1,483,006.00
Vacancies	-174.00	-1,500.00	1,326.00	-88.40	-541,843.47	-876,936.00	335,092.53	-38.21	-876,936.00
Gain / Loss To Old Leases	-1,900.00	0.00	-1,900.00	0	-7,797.23	0.00	-7,797.23	0	0.00
Non-Revenue Units	-1,490.00	-1,292.00	-198.00	15.33	-12,721.00	-10,336.00	-2,385.00	23.07	-10,336.00
Concessions	-1,209.68	-500.00	-709.68	141.94	-11,415.31	-16,000.00	4,584.69	-28.66	-16,000.00
Allow. For Bad Debt	-808.04	-750.00	-58.04	-19.19	-895.20	-5,150.00	4,454.80	-86.50	-5,150.00
Real Security Dep.	0.00	0.00	0.00	0	200.00	3,850.00	-3,650.00	-94.81	3,850.00
Real Estate Fee Inc	6,824.00	6,000.00	824.00	13.73	38,784.33	30,925.00	7,859.33	25.41	30,925.00
Real Estate Fee Inc	375.00	500.00	-125.00	-25.00	3,150.00	3,325.00	-175.00	-5.26	3,325.00
Real Estate Fee Inc	100.00	200.00	-100.00	-50.00	600.00	1,425.00	-825.00	-57.89	1,425.00
Real Estate Fee Inc	0.00	300.00	-300.00	-100.0	267.08	1,000.00	-732.92	-73.31	1,000.00
Real Estate Fee Inc	0.00	250.00	-250.00	-100.0	5,988.60	1,500.00	4,488.60	299.26	1,500.00
Real Estate Fee Inc	0.00	0.00	0.00	0	1,484.28	0.00	1,484.28	0	0.00
Real Estate Fee Inc	225.00	350.00	-125.00	-35.71	56,446.25	12,300.00	44,146.25	358.90	12,300.00
Real Estate Fee Inc	0.00	25.00	-25.00	-100.0	0.00	125.00	-125.00	-100.0	125.00
Real Estate Fee Inc	225.00	0.00	225.00	0	313.00	0.00	313.00	0	0.00
Real Estate Fee Inc	0.00	0.00	0.00	0	300.00	0.00	300.00	0	0.00
Real Estate Fee Inc	0.00	0.00	0.00	0	23.44	0.00	23.44	0	0.00
Interest Income - Trustee	48.31	0.00	48.31	0	10,028.48	0.00	10,028.48	0	0.00
Other Income	-527.38	500.00	-1,027.38	-205.4	-269.36	3,000.00	-3,269.36	-128.9	3,000.00
Gross Income	124,370.21	127,867.00	-3,496.79	-2.58	787,043.17	832,638.00	-45,594.83	-5.48	832,638.00
Payroll									
Management & Administrative	4,608.68	4,067.68	-540.99	-13.30	92,746.30	84,448.13	-8,298.17	-9.83	84,448.13
Maintenance	3,484.00	3,516.92	-32.92	-0.93	31,900.25	31,970.74	-70.49	-0.22	31,970.74
Incentives	1,775.00	2,700.00	-925.00	-34.26	21,551.50	12,650.00	8,901.50	-70.37	12,650.00
Travel Taxes	746.94	971.90	-224.96	-23.15	12,507.75	12,166.85	-340.90	-2.85	12,166.85
Travel Expenses	757.35	720.57	-36.78	-5.11	7,411.39	11,808.15	-4,396.76	-37.23	11,808.15
Travel Compensation Inc.	483.50	439.16	-44.34	-10.10	4,732.71	4,765.65	-32.94	-0.69	4,765.65
Travel Admin. Fees	62.33	162.00	-99.67	-61.52	358.94	2,105.00	-1,746.06	-82.96	2,105.00
Travel Agency	0.00	0.00	0.00	0	5,968.00	0.00	5,968.00	0	0.00
Employee Recruitment	0.00	0.00	0.00	0	200.00	0.00	200.00	0	0.00
Total Payroll	11,907.81	12,678.24	-770.43	-6.10	177,376.84	159,943.52	17,433.32	-10.90	159,943.52
Office Equipment	133.70	0.00	-133.70	0	133.70	0.00	-133.70	0	0.00
Kitchen Supplies	20.43	50.00	-29.57	-59.14	109.09	550.00	-440.91	-80.17	550.00
Copier Costs	237.23	50.00	-187.23	-374.4	2,074.95	550.00	-1,524.95	-277.2	550.00
Office Supplies/Expense	81.36	175.00	-93.64	-53.51	2,479.31	3,025.00	-545.69	-18.04	3,025.00
Computer Expense	0.00	50.00	-50.00	-100.0	2,995.43	550.00	-2,445.43	-444.8	550.00
Computer Software	0.00	0.00	0.00	0	1,642.62	0.00	-1,642.62	0	0.00
Print App. Processing	177.83	200.00	-22.17	-11.09	6,414.57	3,750.00	-2,664.57	-71.06	3,750.00
Print App. Processing	40.00	50.00	-10.00	-20.00	328.04	1,025.00	-696.96	-68.00	1,025.00
Print App. Processing	88.84	100.00	-11.16	-11.16	811.87	850.00	-38.13	-4.49	850.00
Print App. Processing	0.00	50.00	-50.00	-100.0	3,548.99	350.00	-3,198.99	-914.2	350.00
Telephone & Answering Service	802.39	650.00	-152.39	-23.44	7,421.13	6,350.00	-1,071.13	-16.87	6,350.00
Phone & Subscriptions	0.00	0.00	0.00	0	22.60	0.00	-22.60	0	0.00
Phone & Subscriptions	425.52	50.00	-375.52	-751.0	510.81	350.00	-160.81	-46.98	350.00
Phone & Subscriptions	13,205.00	0.00	-13,205.00	0	13,205.00	0.00	-13,205.00	0	0.00
Travel & Mileage	150.00	75.00	-75.00	-100.0	2,146.55	975.00	-1,171.55	-120.1	975.00
Travel Expenses	150.00	100.00	-50.00	-50.00	1,723.37	1,460.00	-263.37	-18.85	1,460.00
Travel Expenses	0.00	0.00	0.00	0	1,668.19	0.00	-1,668.19	0	0.00
Total Administrative	15,513.30	1,800.00	-13,713.30	-899.5	46,966.23	19,775.00	-27,191.23	-137.5	19,775.00
Marketing									
Media Advertising	110,614.58	0.00	-110,614.58	0	118,071.21	0.00	-118,071.21	0	0.00
Printed Materials	107.28	175.00	-67.72	-38.71	2,149.51	1,575.00	-574.51	-36.48	1,575.00
Signage	0.00	0.00	0.00	0	952.00	0.00	-952.00	0	0.00
Promotional Costs	505.30	500.00	-5.30	-1.06	11,824.85	7,500.00	-4,324.85	-57.66	7,500.00
Other Marketing Costs	0.00	0.00	0.00	0	1,355.85	0.00	-1,355.85	0	0.00
Total Marketing	111,230.14	675.00	-110,555.14	-16.37	134,356.55	9,075.00	-125,281.55	-1380.0	9,075.00
Maintenance									
Building Maintenance	272.00	306.00	-34.00	-11.11	1,632.00	2,236.00	-604.00	-27.01	2,236.00
Building Maintenance	0.00	150.00	-150.00	-100.0	0.00	1,200.00	-1,200.00	-100.0	1,200.00
Landscaping	2,200.00	2,000.00	-200.00	-10.00	20,357.50	14,250.00	-6,107.50	-42.83	14,250.00
Paint & Coatings	77.00	50.00	-27.00	-54.00	231.00	400.00	-169.00	-42.25	400.00
Paint & Coatings	560.00	300.00	-260.00	-86.67	1,775.00	2,400.00	-625.00	-26.04	2,400.00
Paint & Coatings	0.00	2,750.00	-2,750.00	-100.0	7,110.47	22,000.00	-14,889.53	-67.68	22,000.00
Paint & Coatings	82.02	100.00	-17.98	-17.98	1,080.99	840.00	-240.99	-28.31	840.00
Paint & Coatings	420.00	200.00	-220.00	-110.0	1,830.00	1,350.00	-480.00	-35.56	1,350.00
Paint Supplies	0.00	100.00	-100.00	-100.0	978.14	725.00	-253.14	-34.92	725.00
Appliance Parts	0.00	50.00	-50.00	-100.0	126.99	335.00	-208.01	-62.09	335.00
HVAC Supplies & Parts	118.30	150.00	-31.70	-21.13	2,243.28	800.00	-1,443.28	-180.8	800.00
Grounds Maintenance Sup	73.98	25.00	-48.98	-195.9	371.56	200.00	-171.56	-85.78	200.00
Pool Supplies	0.00	25.00	-25.00	-100.0	10.63	200.00	-189.37	-94.68	200.00
Common Area Parts & Supplies	182.32	25.00	-157.32	-629.2	326.49	200.00	-126.49	-63.25	200.00
Common Area Parts & Supplies	0.00	25.00	-25.00	-100.0	45.21	200.00	-154.79	-77.35	200.00

Budget Comparison Cash Flow (Accrual)
Baywinds Associates, Ltd - (342)
December 2003

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	MTD Actual	MTD Budget	\$ Var	% Var	YTD Actual	YTD Budget	\$ Var	% Var	Annual
Maintenance									
Pumping Supplies	0.00	50.00	50.00	100.00	185.63	375.00	189.37	50.50	375.00
Carpetry Supplies	0.00	25.00	25.00	100.00	8.97	200.00	191.03	95.52	200.00
Hardware Supplies	16.64	35.00	18.36	52.46	703.42	270.00	-433.42	-160.5	270.00
Lock & Key Supplies	116.63	25.00	-91.63	-366.5	1,144.00	200.00	-944.00	-472.0	200.00
Light Bulb & Fixtures	84.35	25.00	-59.35	-237.4	244.45	200.00	-44.45	-22.23	200.00
Glass/Mirror & Screens	137.70	25.00	-112.70	-450.8	137.70	200.00	62.30	31.15	200.00
Drinking Water System Repairs	0.00	25.00	25.00	100.00	0.00	125.00	125.00	100.00	125.00
Auto Repair	0.00	100.00	100.00	100.00	2,030.00	600.00	-1,430.00	-238.3	600.00
Fire Equipment Repair	174.86	25.00	-149.86	-599.4	174.86	150.00	-24.86	-16.57	150.00
Vehicle Maintenance	0.00	25.00	25.00	100.00	0.00	150.00	150.00	100.00	150.00
Extending Supplies	9.26	25.00	15.74	62.96	9.26	150.00	140.74	93.83	150.00
Other Maintenance Expense	71.00	75.00	4.00	5.33	143.17	450.00	306.83	68.16	450.00
Total Maintenance	4,606.06	6,719.00	2,109.94	31.42	42,895.92	50,506.00	7,610.08	15.07	50,506.00
Utilities									
Electricity	1,827.15	2,000.00	172.85	8.64	9,862.39	11,600.00	1,737.61	14.96	11,600.00
Gas (Vacant)	575.27	100.00	-475.27	-475.2	25,717.23	4,050.00	-21,667.23	-534.9	4,050.00
Water & Sewer	7,281.88	7,000.00	-281.88	-4.03	34,397.92	39,325.00	4,927.08	12.53	39,325.00
Waste Removal	2,336.00	1,750.00	-586.00	-33.49	6,269.32	10,550.00	2,281.68	21.63	10,550.00
Total Utilities	12,020.31	10,850.00	-1,170.31	-10.78	78,245.86	65,525.00	-12,720.85	-19.41	65,525.00
Management & Professional									
Legal & Professional	183,629.15	0.00	-183,629.15	0	186,707.25	750.00	-184,857.25	-24.66	750.00
Consulting Services	0.00	0.00	0.00	0	615.00	0.00	-615.00	0	0.00
Accounting	-5,300.00	1,250.00	6,550.00	524.00	8,460.00	15,000.00	6,550.00	43.67	15,000.00
Management Fees	6,885.13	6,383.35	-501.78	-7.36	37,859.56	31,631.80	-6,257.76	-19.75	31,631.80
Total Mgmt and Professional	185,214.28	7,633.35	-177,580.93	-23.26	232,661.81	47,381.80	-185,280.01	-391.0	47,381.80
Taxes & Insurance									
Real Estate Property Taxes	8,915.76	5,000.00	-3,915.76	-78.32	40,622.81	10,000.00	-30,622.81	-306.2	10,000.00
Personal Property Taxes	0.00	0.00	0.00	0	26.04	0.00	-26.04	0	0.00
Insurance	5,228.82	10,183.00	4,956.18	48.67	38,495.07	20,386.00	-18,129.07	-89.02	20,386.00
License & Other Fees	100.98	0.00	-100.98	0	1,264.98	3,260.00	1,995.02	61.20	3,260.00
Total Taxes & Insurance	14,243.56	15,183.00	939.44	6.19	80,410.90	33,626.00	-46,784.90	-139.1	33,626.00
Total Operating Expenses	354,735.46	55,235.59	-299,499.67	-542.2	782,914.11	385,632.32	-407,081.79	-105.5	385,632.32
Net Income from Operations	-230,365.25	72,431.41	-302,796.66	-418.0	-25,870.94	246,603.88	-272,674.82	-110.4	246,603.88
Financing									
Interest Expense - Bonds	282,737.00	44,552.49	-237,884.51	-530.3	282,737.00	89,704.98	-193,032.02	-215.1	89,704.98
Interest Expense - 2nd Mortgage	30,000.00	0.00	-30,000.00	0	30,000.00	0.00	-30,000.00	0	0.00
Interest Expense - 3rd Mortgage	7,500.00	0.00	-7,500.00	0	7,500.00	0.00	-7,500.00	0	0.00
Guarantee Fee	5,997.00	4,029.17	-1,967.83	-48.84	13,853.88	5,058.34	-8,795.54	-71.92	5,058.34
NSA/Bond Fee	10,000.00	443.21	-9,556.79	-2.158	10,000.00	888.42	-9,111.58	-1.028	888.42
HUD/Mortgage Fee	2,014.58	2,014.58	0.00	0.00	2,014.58	4,029.16	2,014.58	50.00	4,029.16
NSA Miami-Dade County Fee	25,142.50	2,820.42	-22,322.08	-761.4	25,142.50	5,640.84	-19,501.66	-345.7	5,640.84
Tranche Fees	2,080.10	250.00	-1,810.10	-724.0	2,060.10	500.00	-1,560.10	-312.0	500.00
Compliance Monitoring Fee	0.00	322.33	322.33	100.00	0.00	844.66	844.66	100.00	844.66
Tranche Fee	3,459.80	306.22	-3,153.58	-1.028	3,459.80	612.44	-2,847.36	-464.9	612.44
Total Financing	368,911.08	55,038.42	-313,872.66	-570.2	376,787.98	110,076.84	-266,691.12	-242.2	110,076.84
Capitalizable Expenses									
Maintenance Equipment	0.00	0.00	0.00	0	4,547.42	0.00	-4,547.42	0	0.00
Other Capital Expenditures	0.00	0.00	0.00	0	440.00	0.00	-440.00	0	0.00
Total Capitalizable Expenses	0.00	0.00	0.00	0	4,987.42	0.00	-4,987.42	0	0.00
Total Cap. & Finance	368,911.08	55,038.42	-313,872.66	-570.2	381,755.38	110,076.84	-271,678.54	-246.8	110,076.84
Depreciation Expense	353,542.00	0.00	-353,542.00	0	353,542.00	0.00	-353,542.00	0	0.00
Amortization Expense	5,636.00	0.00	-5,636.00	0	5,636.00	0.00	-5,636.00	0	0.00
Total Non-Operating	-728,069.08	-55,038.42	-673,050.66	1,222.	-740,933.38	-110,076.84	-630,856.54	573.11	-110,076.84
Net Income	-958,454.33	17,392.99	-975,847.32	-5,810.	-766,804.32	136,725.84	-903,531.16	-660.8	136,725.84
ADJUSTMENTS									
Provision for Depreciation Reserve	-589.84	-1,700.00	1,110.06	65.30	-44,624.19	-3,400.00	-41,124.19	-1,209.	-3,400.00
Provision for Debt Reimbursement	31.39	0.00	31.39	0	0.00	0.00	0.00	0	0.00
Provision for Payroll Tax Exempt	-5,000.00	-5,000.00	0.00	0.00	9,885,000.00	-10,000.00	9,875,000.00	-96.75	-10,000.00
Mortgage - 2nd	0.00	0.00	0.00	0	1,000,000.00	0.00	1,000,000.00	0	0.00
Mortgage - 3rd	0.00	0.00	0.00	0	750,000.00	0.00	750,000.00	0	0.00
TOTAL ADJUSTMENTS	-5,558.55	-6,700.00	1,141.45	-17.04	11,370,476.81	-13,400.00	11,383,875.81	-84.95	-13,400.00
CASH FLOW	-964,012.88	10,692.99	-974,705.87	-9,115.	10,603,671.49	123,326.84	-10,480,344.65	8,498.	123,326.84
Beginning Cash	154,341.85								
Ending Balance	44,003.50								

ATTACHMENT B

Budget Comparison Cash Flow (Accrual) **Baywinds Associates, Ltd - (342)** **December 2004**

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
Income									
Areas Potential	131,916.00	134,182.00	-2,276.00	-1.70	1,586,590.00	1,589,088.00	-2,508.00	-0.16	1,589,088.00
Vacancies	0.00	650.00	650.00	100.0	2,843.37	11,300.00	8,356.63	73.95	11,300.00
Gains / Loss To Old Leases	-1,882.58	-450.00	-1,432.58	318.36	-72,216.22	-45,348.00	-26,868.22	59.25	-45,348.00
Non-Revenue Units	-1,484.00	-1,550.00	66.00	-4.28	-17,718.00	-18,480.00	762.00	-4.12	-18,480.00
Commissions	0.00	-131.00	131.00	-100.0	-2,094.72	-1,550.00	-544.72	35.14	-1,550.00
Loss For Bad Debt	0.00	-300.00	300.00	-100.0	-1,428.85	-3,800.00	2,171.05	-60.31	-3,800.00
Loss For Bad Debt	8,900.00	8,980.00	-80.00	-0.88	82,286.77	83,520.00	-1,234.23	-1.48	83,520.00
Loss For Bad Debt	0.00	0.00	0.00	0	250.00	0.00	250.00	0	0.00
Loss For Bad Debt	0.00	0.00	0.00	0	11.16	0.00	11.16	0	0.00
Loss For Bad Debt	0.00	600.00	-600.00	-100.0	6,068.39	7,200.00	-1,131.61	-15.72	7,200.00
Loss For Bad Debt	0.00	50.00	-50.00	-100.0	1,850.00	600.00	1,050.00	175.00	600.00
Loss For Bad Debt	389.66	150.00	239.66	159.70	5,024.08	1,600.00	3,224.08	179.12	1,600.00
Lease Termination Fee Inc	597.58	800.00	-2,42	-0.40	4,948.78	7,200.00	-2,250.22	-31.25	7,200.00
Legal & Collection Fee Inc	0.00	0.00	0.00	0	873.00	0.00	873.00	0	0.00
Utility Reimbursements	168.67	0.00	168.67	0	1,129.40	0.00	1,129.40	0	0.00
Application Fee Income	375.00	750.00	-375.00	-50.00	9,400.00	9,000.00	400.00	4.44	9,000.00
Administrative Fee Inc	400.00	750.00	-350.00	-46.67	8,650.00	9,000.00	-450.00	-49.44	9,000.00
Transfer on Site	0.00	0.00	0.00	0	0.00	1,200.00	-1,200.00	-100.0	1,200.00
Interest Income - Trustee	-73.03	0.00	-73.03	0	785.34	0.00	785.34	0	0.00
Other Income	50.00	0.00	50.00	0	2,507.32	0.00	2,507.32	0	0.00
Gross Income	137,357.19	140,971.00	-3,613.81	-2.56	1,609,642.98	1,628,330.00	-18,687.02	-1.15	1,628,330.00
Payroll									
Management & Administrative	4,197.00	6,345.58	2,148.58	33.88	56,244.72	54,985.00	-1,249.72	-2.27	54,984.88
Management & Administrative	3,580.98	5,241.89	1,660.91	32.06	47,828.32	45,428.00	-2,200.32	-4.84	45,427.95
Management & Administrative	1,645.00	2,100.00	455.00	21.67	9,775.00	8,200.00	-1,575.00	-19.21	8,200.00
Management & Administrative	716.78	1,293.45	576.67	44.58	9,512.13	10,284.88	-772.75	-7.33	10,284.88
Employee Benefits	607.74	1,064.02	456.28	42.88	8,282.50	12,656.95	-4,374.45	-34.56	12,656.94
Workers Compensation Ins.	517.80	859.14	341.34	39.73	5,914.87	5,712.51	202.36	3.54	5,712.48
Payroll Admin. Fees	185.17	108.00	77.17	71.45	823.70	1,404.00	-580.30	-41.33	1,404.00
Total Payroll	11,431.45	18,811.88	7,380.43	39.20	138,181.34	138,681.34	-500.00	0.35	138,681.26
Administrative									
Office Equipment	0.00	0.00	0.00	0	245.33	0.00	-245.33	0	0.00
Kitchen Supplies	43.84	50.00	6.16	12.32	472.83	600.00	-127.17	-21.20	600.00
Order Costs	63.21	150.00	86.79	57.86	1,216.15	1,800.00	-583.85	-32.44	1,800.00
Office Supplies/Expenses	187.24	200.00	12.76	6.38	2,083.17	2,400.00	-316.83	-13.20	2,400.00
Computer Consulting	0.00	0.00	0.00	0	413.44	0.00	-413.44	0	0.00
Computer Expense	0.00	75.00	75.00	100.00	822.18	3,050.00	-2,227.82	-73.04	3,050.00
Computer Software	0.00	0.00	0.00	0	3,698.90	0.00	-3,698.90	0	0.00
Scanning/Doc Storage Cost	110.68	0.00	-110.68	0	1,503.58	0.00	-1,503.58	0	0.00
Postage & Processing	0.00	200.00	200.00	100.00	1,604.82	2,400.00	-795.00	-33.13	2,400.00
Postage	61.38	80.00	-18.62	-23.50	892.60	720.00	-172.60	-23.97	720.00
Postage Charges	94.90	150.00	55.10	36.73	1,227.17	1,800.00	-572.83	-31.82	1,800.00
Postage	0.00	100.00	100.00	100.00	844.15	1,200.00	-355.85	-29.65	1,200.00
Telephone & Answering Service	574.20	1,200.00	625.80	52.15	9,399.73	14,400.00	-5,000.27	-34.79	14,400.00
Phone & Subscriptions	0.00	0.00	0.00	0	423.40	128.00	-295.40	-238.7	128.00
Bank Charges	-207.59	0.00	207.59	0	1,883.25	0.00	-1,883.25	0	0.00
Miscellaneous	65.25	0.00	65.25	0	85.25	0.00	-85.25	0	0.00
Travel & Mileage	182.44	0.00	182.44	0	1,848.81	0.00	-1,848.81	0	0.00
Entertainment & Meals	138.23	0.00	138.23	0	553.61	0.00	-553.61	0	0.00
Postage	0.00	0.00	0.00	0	1,316.54	1,800.00	-483.46	-26.91	1,800.00
Total Administrative	1,383.78	2,185.00	791.22	36.21	30,304.92	30,295.00	-9.92	-0.03	30,295.00
Marketing									
Media Advertising	0.00	0.00	0.00	0	850.70	1,200.00	-349.30	-29.10	1,200.00
Print Materials	95.22	110.00	14.78	13.44	1,399.55	1,920.00	-520.45	-27.11	1,920.00
Print Materials	0.00	0.00	0.00	0	0.00	300.00	-300.00	100.00	300.00
Production Costs	59.79	300.00	240.21	80.07	1,717.08	3,600.00	-1,882.92	-52.30	3,600.00
Production Costs	25.91	0.00	-25.91	0	1,360.81	1,000.00	-360.81	-36.08	1,000.00
Total Marketing	180.92	410.00	229.08	55.87	5,128.22	8,020.00	-2,891.78	-36.05	8,020.00
Maintenance									
General Maintenance	545.00	272.00	-273.00	-100.3	5,958.00	3,264.00	-2,694.00	-45.44	3,264.00
Fire Safety	0.00	0.00	0.00	0	2,216.87	3,650.00	-1,433.13	-39.44	3,650.00
Landscaping	4,980.00	2,420.00	-2,560.00	-104.5	37,885.00	35,380.00	-2,505.00	-6.54	35,380.00
Lawn & Care	87.00	100.00	13.00	13.00	1,553.20	1,200.00	-353.20	-29.43	1,200.00
Pools	560.00	560.00	0.00	0.00	6,720.00	6,720.00	0.00	0.00	6,720.00
Security, Alarms & Protection	4,971.22	3,500.00	-1,471.22	-42.03	35,331.84	42,000.00	-6,668.16	-15.88	42,000.00
Misc. Contract Serv.	0.00	0.00	0.00	0	0.00	292.00	-292.00	100.00	292.00
Cleaning Supplies	509.71	150.00	-359.71	-239.8	1,450.16	1,800.00	-349.84	-19.43	1,800.00
Carpet Cleaning	715.00	100.00	-615.00	-61.50	4,195.00	4,400.00	-205.00	-4.66	4,400.00
Paint Supplies	333.04	200.00	-133.04	-66.52	1,498.08	3,800.00	-2,301.92	-60.58	3,800.00
Appliance Parts	258.90	55.00	-203.90	-37.07	1,372.60	780.00	-592.60	-75.97	780.00
HVAC Supplies & Parts	523.34	200.00	-323.34	-161.6	2,475.65	2,400.00	-75.65	-3.15	2,400.00
Floors & Wallcoverings	0.00	0.00	0.00	0	15.16	0.00	-15.16	0	0.00
Roof Maintenance Sup	13.74	35.00	21.26	60.74	83.16	420.00	-336.84	-80.20	420.00
Roof Maintenance	0.00	25.00	25.00	100.00	642.04	300.00	-342.04	-114.0	300.00

Budget Comparison Cash Flow (Accrual) **Baywinds Associates, Ltd - (342)** **December 2004**

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
Common Area Parts & Supplies	0.00	30.00	30.00	100.00	6.40	360.00	353.60	98.22	360.00
Electrical Parts Supplies	0.00	50.00	50.00	100.00	488.01	600.00	111.99	18.67	600.00
Plumbing Supplies	-34.10	100.00	134.10	134.10	332.74	1,200.00	867.26	72.27	1,200.00
Ceramics Supplies	0.00	25.00	25.00	100.00	42.24	300.00	257.76	85.92	300.00
Hardware Supplies	146.47	75.00	-71.47	-95.29	997.08	900.00	-97.08	-10.79	900.00
Hand Tool Supplies	0.00	45.00	45.00	100.00	218.44	540.00	321.56	59.55	540.00
Paint & Paint Supplies	651.87	55.00	-596.87	-1,085.00	1,842.88	660.00	-982.88	-148.90	660.00
Paint & Paint Supplies	28.66	35.00	6.34	18.11	79.37	420.00	340.63	81.10	420.00
Common System Repairs	8.53	50.00	41.47	82.94	2,395.62	600.00	-1,798.62	-299.70	600.00
Common System Repairs	0.00	250.00	250.00	100.00	667.45	3,000.00	2,332.55	77.75	3,000.00
Common System Repairs	0.00	50.00	50.00	100.00	1,953.00	600.00	-1,353.00	-225.50	600.00
Common System Repairs	196.10	25.00	-171.10	-684.40	1,847.49	300.00	-1,547.49	-515.80	300.00
Common System Repairs	0.00	20.00	20.00	100.00	0.00	240.00	240.00	100.00	240.00
Common System Repairs	0.00	50.00	50.00	100.00	-871.90	800.00	1,471.90	245.32	800.00
Total Maintenance	14,474.48	8,467.00	-5,987.48	-70.55	111,209.26	116,516.00	5,306.74	4.55	116,516.00
Utilities									
Electricity	2,513.10	2,200.00	-413.10	-18.76	24,917.46	26,400.00	1,482.54	5.62	26,400.00
Electricity (Vacant)	0.00	100.00	100.00	100.00	1,532.55	1,200.00	-332.55	-27.72	1,200.00
Water & Sewer	6,041.88	6,000.00	-41.88	-0.70	64,940.20	72,000.00	-12,040.20	-17.97	72,000.00
Water Removal	524.00	800.00	276.00	34.50	13,189.41	9,600.00	-3,589.41	-37.39	9,600.00
Total Utilities	9,178.99	9,100.00	-78.99	-0.87	124,578.65	109,200.00	-15,378.65	-14.06	109,200.00
Management & Professional									
Management & Professional	231.00	0.00	-231.00	0	11,708.04	1,500.00	-9,908.04	-550.40	1,500.00
Management & Professional	0.00	0.00	0.00	0	29.76	0.00	-29.76	0	0.00
Management & Professional	169.80	0.00	-169.80	0	452.85	0.00	-452.85	0	0.00
Management & Professional	1,250.00	1,250.00	0.00	0.00	18,600.00	15,000.00	-3,600.00	-24.00	15,000.00
Management & Professional	6,778.06	7,048.55	270.49	3.84	80,360.43	81,416.50	1,056.07	1.30	81,416.50
Total Mgmt and Professional	8,428.86	8,298.55	-130.31	-1.57	111,151.08	98,216.50	-12,934.58	-13.17	98,216.50
Taxes & Insurance									
Real Estate Property Taxes	103,914.19	13,600.00	-90,314.19	-664.00	253,514.19	163,200.00	-90,314.19	-55.34	163,200.00
Personal Property Taxes	4,829.33	340.00	-4,489.33	-1,320.00	8,589.33	4,080.00	-4,489.33	-110.00	4,080.00
Insurance	5,934.06	6,557.24	623.18	9.50	67,728.10	78,686.88	10,958.78	13.93	78,686.88
Licenses & Other Fees	447.60	0.00	-447.60	0	2,998.95	2,151.00	-847.95	-39.42	2,151.00
Total Taxes Licenses & Insurance	115,125.18	20,497.24	-94,627.94	-461.80	332,810.57	248,117.88	-84,692.69	-34.13	248,117.88
Total Operating Expenses	160,213.66	65,759.67	-94,423.99	-143.50	863,365.04	740,026.72	-104,338.32	-13.93	740,026.64
Income from Operations	-22,858.47	75,181.33	-98,037.80	-130.40	756,277.94	879,303.28	-123,025.34	-13.99	879,303.36
Interest									
Interest Expense - Bonds	43,065.50	40,105.00	-2,960.50	-7.36	528,743.00	525,552.00	-3,191.00	-0.61	525,552.00
Interest Expense - 1st Mortgage	112,927.00	0.00	-112,927.00	0	112,927.00	0.00	-112,927.00	0	0.00
Interest Expense - 2nd Mortgage	30,000.00	0.00	-30,000.00	0	30,000.00	0.00	-30,000.00	0	0.00
Interest Expense - 3rd Mortgage	22,500.00	0.00	-22,500.00	0	22,500.00	0.00	-22,500.00	0	0.00
Interest Expense - Other	0.00	5,000.00	5,000.00	100.00	0.00	45,000.00	45,000.00	100.00	45,000.00
Commitment Fee	45,987.15	3,645.00	-42,342.15	-1,161.00	94,077.24	44,891.82	-49,185.42	-109.50	44,891.82
SEA/Bond Fee	442.85	402.00	-40.85	-10.16	6,202.04	4,846.55	-1,355.49	-25.38	4,846.55
HUD/Mortgage Fee	1,998.90	1,823.00	-175.90	-9.65	25,287.02	22,445.91	-2,841.11	-12.66	22,445.91
SEA/Miami-Dade County Fee	3,082.85	2,562.00	-520.85	-20.80	37,635.00	31,422.46	-6,212.52	-19.77	31,422.46
Administration Fee	0.00	0.00	0.00	0	7,291.88	0.00	-7,291.88	0	0.00
Trustee Fees	250.00	250.00	0.00	0.00	1,670.40	3,000.00	1,329.60	44.32	3,000.00
Financial Monitoring Fee	0.00	109.00	109.00	100.00	0.00	1,343.34	1,343.34	100.00	1,343.34
Compliance Monitoring Fee	0.00	292.00	292.00	100.00	0.00	3,594.00	3,594.00	100.00	3,594.00
Service Fee	898.21	188.00	-710.21	-375.60	3,745.14	2,067.57	-1,677.57	-81.14	2,067.57
SALE Loan Fees	0.00	500.00	500.00	100.00	0.00	4,500.00	4,500.00	100.00	4,500.00
SALE Fees	0.00	0.00	0.00	0	250.00	0.00	-250.00	0	0.00
Total Financing	280,652.50	54,847.00	-206,105.50	-375.70	870,328.52	688,763.67	-181,564.85	-26.38	688,763.67
Capitalizable Expenses									
Land	0.00	0.00	0.00	0	1,950.00	0.00	-1,950.00	0	0.00
Land	0.00	0.00	0.00	0	1,200.00	0.00	-1,200.00	0	0.00
Land, Trees & Shrubs	0.00	0.00	0.00	0	1,685.00	0.00	-1,685.00	0	0.00
Playground & Recreational	0.00	0.00	0.00	0	1,600.00	0.00	-1,600.00	0	0.00
Playground Equipment	0.00	0.00	0.00	0	171.15	0.00	-171.15	0	0.00
Other Capital Expenditures	1,208.78	0.00	-1,208.78	0	4,175.75	0.00	-4,175.75	0	0.00
Carpet Replacement	0.00	0.00	0.00	0	3,711.48	3,900.00	188.52	4.83	3,900.00
Window Coverings	0.00	0.00	0.00	0	1,266.58	0.00	-1,266.58	0	0.00
Other Property Replacement	0.00	0.00	0.00	0	2,111.15	0.00	-2,111.15	0	0.00
Total Capitalizable Expenses	1,208.78	0.00	-1,208.78	0	17,871.42	3,900.00	-13,971.42	-358.20	3,900.00
Total Cap. & Finance	282,151.28	54,847.00	-207,314.28	-377.90	888,199.94	692,663.67	-195,536.27	-28.23	692,663.67
Depreciation Expense	808,072.00	0.00	-808,072.00	0	606,072.00	0.00	-606,072.00	0	0.00
Amortization Expense	13,491.00	0.00	-13,491.00	0	13,491.00	0.00	-13,491.00	0	0.00
Total Non-Depreciating	-881,724.28	-54,847.00	-826,877.28	1,507.00	-1,507,762.94	-892,663.67	-615,099.27	117.05	-692,663.67

Budget Comparison Cash Flow (Accrual)
Baywinds Associates, Ltd - (342)
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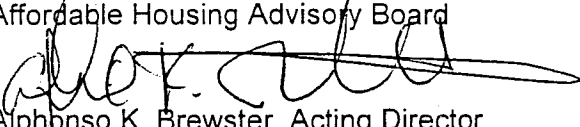
	<u>MTD Actual</u>	<u>MTD Budget</u>	<u>\$ Var.</u>	<u>% Var.</u>	<u>YTD Actual</u>	<u>YTD Budget</u>	<u>\$ Var.</u>	<u>% Var.</u>	<u>Annual</u>
Net Income	-604,590.75	20,334.33	-624,915.08	-4,548.	-751,485.00	166,639.61	-938,124.61	-502.8	166,639.69
ADJUSTMENTS									
Trustee - Replacement Reserve	-3,400.00	-1,700.00	-1,700.00	-100.0	-22,100.00	-20,400.00	-1,700.00	-8.33	-20,400.00
Trustee - Rep. Res Reimbursement	-54.59	0.00	-54.59	0	-256.77	0.00	-256.77	0	0.00
Bonds Payable - Tax Exempt	-5,000.00	-4,032.48	-967.52	23.99	-85,000.00	-66,389.76	-18,610.24	-34.33	-66,389.76
TOTAL ADJUSTMENTS	-8,454.59	-5,732.48	-2,722.11	47.49	-87,356.77	-66,789.76	-18,567.01	26.99	-66,789.76
CASH FLOW	-613,035.34	14,601.85	-627,637.19	-6,352.	-838,841.77	117,849.85	-956,691.62	-811.7	117,849.93
Change in Cash	-577.81								
Change in Inventory	-89.70								



MEMORANDUM

ATTACHMENT A

TO: Gustayo E. Casado, Chairman
Affordable Housing Advisory Board

FROM: 
Alphonso K. Brewster, Acting Director
Miami-Dade Housing Agency

DATE: September 22, 2004

SUBJECT: Baywinds Associates, Ltd.
Request for Surtax Incentive
Pool Funds for Baywinds
Apartments

REQUEST

Baywinds Associates, Ltd. has submitted a request for Surtax Incentive Pool funds in the amount of \$850,000 for the Baywinds Apartments. The development was developed by the Cornerstone Group.

RECOMMENDATION

It is recommended that the Affordable Housing Advisory Board (AHAB) award Baywinds Associates, Ltd. \$850,000 of Surtax Incentive Pool funds for the Baywinds Apartments. The development is located at 11900 NE 16th Avenue, in Commission District 9.

BACKGROUND

The Board of County Commissioners awarded Baywinds Associates, Ltd. \$1,000,000 of Surtax 2002 funds through R-1355-01 and \$750,000 of Surtax 2003 funds through R-207-03 for the Baywinds Apartments. The development consists of 204 rental units and houses families earning no more than 60% of area median income. The project was completed and has been fully leased up since April 2003. The following list details the configuration of the rental units:

Number of Bedrooms	Square Footage	Gross Rent	Number of Units
1	825	\$593	48
2	1,075	\$711	84
3	1,275	\$822	72

The total project cost at the time of the construction loan closing was \$16,042,000. A recently revised sources and uses statement reflects a new total project cost of \$19,945,563. The development of Baywinds was financed with tax-exempt bonds, issued by the Housing Finance Authority of Miami-Dade County with local subsidy provided by Miami-Dade Housing Agency (MDHA). The developer states that due to increases in construction costs, low rents the tenants pay, coupled with high taxes and particularly high insurance premiums, the total project costs increased. The developer has been able to restructure the project financing, but is indicating a financing gap of \$850,000.

MHDA is recommending that an additional \$850,000 be allocated to the project from the Surtax Incentive Pool.

The Principals for Baywinds Associates, Ltd. are:

Stuart I. Meyers
Chairman / Shareholder
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Jorge Lopez
Vice Chairman / Shareholder
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Leon J. Wolfe
President / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Mara S. Mades
Vice President & Secretary / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Bruce Adams
Treasurer & Assistant Secretary / Shareholder / Director
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Attached please find a detailed statement of project financing that indicates the current status of approved project funding as well as the revised funding status which indicates the proposed additional \$850,000 (Attachment A).

Attachment A
Baywinds Apartments

Sources of Funds	Current Allocation	Revised Allocation
Tax Credit Equity	\$4,622,000	\$6,117,438
1 st Mortgage	9,670,000	9,670,000
Local Subsidy (Surtax)	1,750,000	1,750,000
Interest Income	0	103,762
Developer Equity	0	1,454,363
Additional Local Subsidy (Surtax Incentive Pool)	0	850,000
Total	\$16,042,000	\$19,945,563

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(G)(1)(C)
3-11-03

RESOLUTION NO. R-207-03

RESOLUTION AUTHORIZING THE COUNTY
MANAGER OR HIS DESIGNEE TO ALLOCATE
\$750,000 FROM DOCUMENTARY SURTAX
INCENTIVE POOL FUNDS TO THE CORNERSTONE
GROUP FOR THE BAYWINDS APARTMENTS
PROJECT, AND EXECUTE ALL NECESSARY
AGREEMENTS

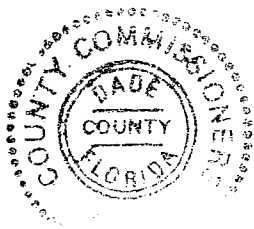
WHEREAS, this Board desires to accomplish the purposes outlined in the
accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board approves the
allocation of \$750,000, from Documentary Surtax Incentive Pool funds, to The
Cornerstone Group, for the Baywinds Apartments project, as set forth in the attached
memorandum; and further authorizes the County Manager or his designee to execute
agreements on behalf of Miami-Dade County, following approval by the County
Attorney's Office; and to exercise amendment, modification, renewal, cancellation and
termination clauses on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who
moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss**
and upon being put to a vote, the vote was as follows:


Bruno A. Barreiro	absent	Dr. Barbara Carey-Shuler	aye
Jose "Pepe" Diaz	aye	Betty T. Ferguson	aye
Sally A. Heyman	absent	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	aye
Dorin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto		aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 11th day of March, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

Shannon D. Summerset

By: KAY SULLIVAN
Deputy Clerk

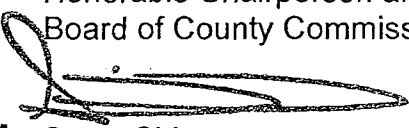


MEMORANDUM

Agenda Item No. 7(G)(1)(C)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: March 11, 2003

FROM: 
Steve Shiver
County Manager

SUBJECT: Allocation of \$750,000 of
Documentary Surtax Incentive
Pool Funds to The Cornerstone
Group for the Baywinds
Apartments Project

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) authorize the allocation of \$750,000 from Documentary Surtax Incentive Pool funds, to The Cornerstone Group for the Baywinds Apartments project, located at 11900 NE 16 Avenue, in District 4.

BACKGROUND

Pursuant to R-1355-01, The Cornerstone Group was awarded \$1,000,000 of Surtax 2002 funds, for the Baywinds Apartments project.

The above mentioned project consists of 204 rental units comprised of 48 one-bedroom, 84 two-bedrooms and 72 three-bedroom units. In order to ensure that affordable housing will be built, the developer will utilize bond financing in lieu of 9% tax credits. Currently, however, the project has a funding gap. Additional funds are needed due to a shortage created by financing with tax-exempt bonds along with 4% tax credits, which accompany the bond issuance in lieu of the aforementioned 9% tax credits. As a result, Miami-Dade Housing Agency is requesting additional funds be allocated, to the developer, via the Documentary Surtax Incentive Pool.

The Documentary Surtax Incentive Pool consists of funds that have been recaptured from non-performing developers to close-out remaining funding allocations from any given year. These additional funds are made available to developers who have committed all allocations to qualified homebuyers who need additional funds to finalize an ongoing project, or who are ready to begin construction, but have a funding gap.


This recommendation was presented and approved by the Affordable Housing Advisory Board at its January 22, 2003 meeting.



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: March 11, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(G)(1)(C)

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution R-207-03, adopted by said Board of County Commissioners at its meeting held on March 11, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 29th day of November, 2004.



Seal

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By 
Deputy Clerk

Board of County Commissioners
Miami-Dade County, Florida

Approved _____ Mayor

Veto _____

Override _____

Amended
Substitute
Agenda Item No. 6(J)(1)(A)
12-4-01

APPROVED
BY THE BOARD
OF COUNTY COMMISSIONERS
JULY 27, 2001

RESOLUTION NO. 1355-01

RESOLUTION APPROVING THE FY 2002 FUNDING RECOMMENDATIONS FOR THE STATE HOUSING INITIATIVE PARTNERSHIP AND SURTAX PROGRAMS; AUTHORIZING THE FILING WITH U.S. HUD OF MIAMI-DADE COUNTY'S FY 2002 ACTION PLAN WITH PROJECTED USES OF FUNDS FOR THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SHELTER GRANT PROGRAMS; AUTHORIZING THE COUNTY MANAGER TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAMS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outline in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the FY 2002 funding recommendations for the State Housing Initiative Partnership (SHIP) and Surtax Programs; authorizes the filing with U.S. HUD of the Miami-Dade County FY 2002 Action Plan, with projected uses of funds for the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG) Programs; authorizes the County Manager to shift funds for each program among activities of the same agency without exceeding the total amount allocated to that agency; authorizes the County Manager to shift funding between agencies without exceeding the total award amount allocated

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to that activity or changing the scope of that activity; authorizes the County Manager to make non-substantive modifications to the FY 2002 Action Plan including activity description and proposed accomplishments related to the activity; authorizes the County Manager to execute such contracts, agreements and amendments necessary to carry out the above programs after approval by the County Attorney's Office; and authorizes the County Manager to exercise the cancellation provisions contained therein.

The foregoing resolution was offered by Commissioner **Betty T. Ferguson** who moved its adoption. The motion was seconded by Commissioner **Gwen Margolis** and upon being put to a vote, the vote was as follows:

Dr. Miriam Alonso	absent	Bruno A. Barreiro	aye
Dr. Barbara M. Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	absent
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorin D. Rolle	absent	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
	Javier D. Souto	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2001. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



Approved by County Attorney as 
to form and legal sufficiency.

Shannon D. Summerset

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk



MEMORANDUM

Amended
Substitute
Agenda Item No. 6(J)(1)(A)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: December 4, 2001

FROM: Steve Shiver
County Manager

SUBJECT: Substitute Agenda Item - FY 2002
Action Plan and Funding
Recommendations for the CDBG,
HOME, ESG, SHIP and Surtax
Programs

R#1355-01

This substitute item differs from the original in that it allocates \$1,652,626 from the previously established Economic Development reserve to fund 47 Public Service activities, which are currently funded and which submitted FY 2002 RFA request for continuation funding.

RECOMMENDATION

It is recommended that the Board approve the County Manager's funding recommendations for the FY 2002 Community Development Block Grant (CDBG) program in the amount of \$23,178,600, the Home Investment Partnership (HOME) program in the amount of \$7,347,300, Emergency Shelter Grant (ESG) program in the amount of \$750,000, the State Housing Initiative Program (SHIP) in the amount of \$5,409,000 and the Documentary Surtax Program in the amount of \$37,747,295 as indicated in Exhibit I and authorize the County Manager to submit the FY 2002 Action Plan with U.S. HUD as required not later than the County's requested extension date of December 15, 2001 and to execute all contracts, agreements and amendments necessary to implement the SHIP and the Surtax Programs and the FY 2002 Action Plan. The total amount recommended for allocation in FY 2002 for the preceding programs is \$74,432,195 compared to the FY 2001 total allocation of \$55,457,782.

Please note that Exhibit I indicates the submitted funding recommendations for the CDBG Economic Development Category by the Task Force on Urban Economic Revitalization (UERTF); for HOME, SHIP, and Surtax funded housing activities by staff of the Miami-Dade Housing Agency; and for CDBG funding benefiting the residents of public housing per the Adker Consent Decree, as recommended by the Overall Tenant Advisory Council (OTAC). Please be advised that as of 11/30/01 the Affordable Housing Advisory Board (AHAB) had not met to take action relative to the preparation of its funding recommendations.

As previously noted prior to the public hearing that was held on November 15, 2001 and which was continued and completed on November 29, 2001, the Board is hereby advised that this memorandum has been revised to include additional pertinent and/or supplemental information to facilitate the Board's consideration of the item during the

X 24

meeting on December 4, 2001. The Board is further advised that this transmittal memorandum and the accompanying funding recommendations have been modified pursuant to further determinations that have been made in consideration of comments and discussion during the public hearing process. The Board is advised that the pertinent changes reflected in this substitute agenda item are being summarized in this section below and that the changes in this memorandum from the original item have been underlined in the remaining body of the memorandum. Please note the following changes as reflected in this substitute:

- 1) In the CDBG public services category a funding strategy is being recommended to mitigate the potential de-funding of some 47 currently funded public service activities that results in the reduction of the proposed Reserve for Economic Development from \$1,681,800 to \$29,174. (See attached exhibit) Please note that this reserve was originally proposed in an effort to make additional resources available for high priority economic development programs or for other priorities to be determined by the Board. Please be advised that there is no requirement for the establishment of reserves as part of the CDBG funding allocation process. In recent years the County's proposed annual action plans have not included any reserves.
- 2) In the CDBG housing category additional funding is being recommended in the total amount of \$200,000 to provide housing development service delivery support for Jubilee CDC (\$50,000), CarrFour Corporation (\$50,000), and South Miami Heights CDC (\$100,000). This funding increase is being offset by a reduction of \$200,000 in the allocation for Countywide Land Acquisition.
- 3) In the HOME CHDO category service delivery support funding in the amount of \$40,000 is being recommended for Jubilee CDC. This funding increase is being offset by a reduction in the Reserve for CHDO Support.
- 4) As the net result of these changes in allocations, the level of funding for non-County agencies is proposed at \$12,036,886 (52%) and for County departments and agencies the funding level is \$11,112,540 (48%). There is remaining an unallocated Economic Development Reserve in the amount of \$29,174.
- 5) Relative to proposed FY 2002 funding through the Surtax and SHIP Programs, the following changes have been made pursuant to consultation with the Miami-Dade Housing Agency: (a) Proposed funding to the Allapattah Business Development Authority, Inc. for the Treasure Cove Condo Development in the amount of \$1 million of Surtax is being withdrawn and no funding is recommended; (b) Proposed funding to the Pinnacle Housing Group, Inc. for the Pinnacle Place Apartments in the amount of \$1 million of SHIP is being withdrawn and no funding is recommended; (c) Proposed funding to the Audley Ridley/ALR Organization for a Multi-Family Rehabilitation project in the amount of \$500,000 Surtax is being withdrawn and no funding is recommended due the agency's failure to comply with the "Must Appear" requirement of the FY 2002 RFA process. Please note that it is recommended that these withdrawn funds in the total amount of \$1,500,000 be considered as placed in Surtax reserve and \$1 million in SHIP reserve, pending further review for allocation to projects by the Miami-Dade Housing Agency.

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BACKGROUND

1. CONSOLIDATED PLANNING PROCESS

On November 4, 1997 the Board approved the FY 1998-2002 Consolidated Plan, as prepared by the Office of Community and Economic Development (OCED), through the adoption of Resolution No. 1307-97. The Consolidated Plan requires that an Action Plan be prepared for the funding available in each year through FY 2002. Essentially, the Consolidated Plan combines the planning and application aspects of the CDBG, HOME and ESG Programs. The FY 2002 Action Plan was developed with extensive participation by residents and the public and private sectors. This plan reflects the input gathered from neighborhood meetings, commission district-wide meetings, a countywide Tenant Advisory Committee, Community-Based Organizations (CBO), Community Development Corporations (CDC), municipalities and County departments. Funding for the activities proposed in the FY 2002 Action Plan will come from the CDBG, HOME and ESG entitlement programs. Funding recommendations are consistent with the Consolidated Planning Process Policies for the FY 2002 Request For Applications (RFA) as adopted by the Board through Resolution No. 594-01, pursuant to a public hearing held on May 22, 2001. Consistent with the past several years, for FY 2002 the Board has approved a Consolidated Planning Process that continues to include the SHIP and Surtax affordable housing programs (in addition to the CDBG, HOME and ESG Programs) and provides for a Consolidated Request for Applications (RFA) process for all of the related programs - CDBG, HOME, ESG, SHIP and Surtax. Close coordination of these programs and resources continues to be essential to prevent duplication of funding or funding in excess of the needs of an activity.

To this end, several meetings were held with the Miami-Dade Housing Agency (MDHA), the Homeless Trust and the Alliance for Human Services to discuss the application for the CDBG, HOME, SHIP and Surtax Programs and funding recommendations. Prior to making funding recommendations, all applicants for the HOME, SHIP and Surtax funds were given the opportunity to review their evaluation scores with MDHA staff on September 4-5, 2001. Similarly, applicants for CDBG funds were notified by letters dated October 5, 2001 that they should set up appointments with OCED staff to review their evaluation scores not later than October 19, 2001. Staff's preliminary funding recommendations by agency and by Commission District were submitted to each Commissioner's staff for review through a memorandum from the County Manager dated October 9, 2001.

2. REQUESTS FOR APPLICATIONS AND EVALUATION OF THE REQUESTS

Potential applicants for funding made available through the FY 2002 Consolidated Planning Process were solicited through a consolidated Request for Applications (RFA) Process. Funding requests in response to this process totaled \$120,045,550 for the CDBG program, \$14,785,752 for the HOME program, \$750,000 for the ESG program, \$5,559,183 for the SHIP program and \$60,478,294 for the Surtax program.

The FY 2002 RFA application process opened on June 18, 2001, and ended on July 18, 2001. The public was advised of the application process through several notices in The Miami Herald and The Miami Times. During the month-long RFA application process, OCED, in coordination with the Miami-Dade Housing Agency and the Miami-Dade Homeless Trust, convened two (2) technical assistance and information workshops for agencies and the public, and provided ongoing technical assistance throughout the application period. Exhibit I is a recap of all of the funding requests and FY 2002 recommendations by agency.

GENERAL POLICY COVERING FUNDING RECOMMENDATIONS

The policy guidelines adopted by the Board provide direction for the FY 2002 CDBG funds to be distributed in accordance with the following parameters:

- Minimum goal of 20% for Economic Development.
- Not more than approximately 30% (excluding administration) for County Departments to implement CDBG eligible projects.
- Approximately 50% for non-departmental housing and community development activities (including economic development activities).
- Adker Consent Decree which requires the County to allocate 25% of its future annual allocable CDBG funds for five years, commencing with the FY 2000 Action Plan for housing and community development programs and infrastructure improvements in neighborhoods surrounding public housing developments.

Within this general policy framework, emphasis was placed on the following:

- A funding allocation strategy that would concentrate the available FY 2002 Action Plan resources in the CDBG Focus Areas to be referred to as Neighborhood Revitalization Strategy Areas (NRSA) and Eligible Block Groups. Block Groups where the median household income is less than 30% of the Miami-Dade County median household income and where there is a high concentration of poverty and unemployment also received priority consideration.
- Eligible block groups not formerly designated as Community Development target areas were grouped regionally by Commission District, and the funding recommendations were developed with consideration for the geographic distribution of priority needs throughout the County's entitlement area.
- In the allocation of available funding for activities in eligible areas, emphasis was placed on per capita expenditures, concentrations of poverty, overcrowding and the ratio of low-and moderate-income population, throughout the County's entitlement area.
- Emphasis was placed on funding mixed-income affordable housing projects and the dispersal of affordable housing projects throughout the County to avoid an over concentration of such projects in any particular geographic area.

- Emphasis was placed on mixed-use projects that support or link both housing and economic development.
- Emphasis was placed on better utilization of the four different housing funds: HOME, CDBG, Surtax and SHIP and the provision of continued support to projects that were previously funded and which have demonstrated satisfactory performance or progress.
- Consideration in the award process was given to CDC's involved in packaging housing proposals using Federal Low Income Tax Credits, in order to enhance their competitive position in the state-wide competition for credits.
- County Departments currently addressing Plan priorities were recommended for funding to continue projects started in a prior year. In addition, some funding allocations for County Departments were determined outside of the formal RFA process in lieu of allocations which had been previously determined through the County's FY 2001-2002 budget development process. These were subject to the eligibility determination of the funded projects and activities by OCED.
- CDC's, CHDO's and CBO's in good standing (i.e., meeting goals, objectives, time lines, and performance-based reviews of current plan activities) were recommended for funding to support on-going Plan priorities.
- Support activities in Targeted Urban Areas (TUA's).
- Support activities in the federally designated Miami-Dade County Empowerment Zone, Federal Enterprise Community, State Enterprise Zones and Community Redevelopment Areas.
- A requirement for strict compliance with Section 3 of the U.S. HUD Act of 1968 and directing all County Departments to monitor and enforce compliance with said provision; requiring all applicable County Contracts and solicitations to contain language requiring compliance with Section 3.

ISSUES CONSIDERED IN MAKING FUNDING RECOMMENDATIONS

Social Services Master Plan

The Public Services evaluation form was formulated to specifically address agencies proposing social and human service activities. The Capital Improvement, Economic Development, Historic Preservation and Housing evaluation forms also allocated points to activities servicing special needs populations, including public housing residents, elderly, homeless, persons with disabilities, WAGES participants, farm workers and seasonal laborers.

Infill Strategies

The FY 2002 RFA provides for developers to indicate whether a new construction proposed activity will provide housing in an infill/urban area and as to how many units are proposed. The applicant is also asked, if land from the OCED Land Disposition List is to be used for the proposed projects.

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Urban Economic Revitalization Task Force Priorities

The General Section evaluation form, utilized to score all proposed CDBG activities, awards points to activities that fall into areas of special emphasis, including Targeted Urban Areas (TUAs) designated by the Task Force. Maps of the TUAs were available for applicants in the RFA.

Preference will be given to homeownership over rental housing projects

The MDHA and OCED stress a homeownership preference for proposed future projects. This preference is consistent in the Housing Evaluation form, which asks whether the proposed activity will encourage homeownership. This question highlighted applicants who have provided proof of creating on-site incentive programs that facilitates the move from rental to homeownership. Such programs include volunteering for common area property management and home maintenance or repair work.

Affordable Housing Objectives

Strong consideration was given to activities from agencies which have previously shown effective working relationships with local governments and other organizations to further the availability of affordable housing (through new construction and/or rehabilitation) and facilitate the homeownership process for first time buyers. The FY 2002 RFA provided applicants with CDBG, HOME, Surtax, and SHIP guidelines for their review before entering into a contractual agreement to provide a determined number of affordable units.

Welfare to Work Program

The RFA evaluation forms for Capital Improvement, Economic Development, Historic Preservation, Housing and Public Services addressed the Welfare to Work Program by awarding points to proposed activities providing priority to persons making the transition from welfare to work. Services provided by such activities include training and employment programs. Also, scoring considered activities providing priority in contracting and employment to businesses that offer opportunities to persons making the transition from welfare to work.

3. EVALUATION PROCESS

Evaluation Forms

A two-part evaluation form, included in FY 2002 RFA, was used to score proposed activities--one for CDBG activities and one for affordable housing development projects. All CDBG activities were scored using the General Section form, for a total of 60 points out of 100 points; and a second form for each program category, for a total of 40 points out of 100 points. Points were awarded based on the activity's corresponding HUD

category (i.e., Capital Improvement, Economic Development, Historic Preservation, Housing, Administration, or Public Services).

Projects funded for FY 2002 were evaluated and scored on the CDBG General Section form, based on a variety of critical factors including: (a) the extent to which the activity served focus area residents how much a currently funded agency/activity has progressed toward its contracted measurable objective or proposed accomplishment; (b) whether the agency has consistently met its contractual reporting requirements; and (c) the agency's success in receiving community support for an ongoing or a proposed project and its leveraging of CDBG dollars to secure other sources of funding and support. The second evaluation form is for housing projects and has been modified and streamlined by OCED, Miami-Dade Housing Agency (MDHA), and Homeless Trust staff as well as the Affordable Housing Advisory Board, based on a review and assessment of the FY 2001 RFA process.

CDBG Evaluation Process

Neighborhood activities recommended for funding by County departments were reviewed and have been selected on the basis of priority needs and consistency with neighborhood and department plans. Countywide activities recommended for funding by Departments were selected on the basis of department priority and allocations determined through the County's FY 2001-2002 budget preparation process and consultation with the Office of Management and Budget. Applications submitted by non-county organizations were reviewed and evaluated by staff in OCED, in consultation with the Homeless Trust and MDHA as necessary. It should also be noted that the County's Department of Human Services as well as the Alliance for Human Services participated in the meetings of the FY 2002 RFA Working Group and provided valuable information relative to the Social Service Master Plan goals, priorities and funding allocations.

In preparing funding recommendations, careful attention was given to allocating the available funding to effectively meet the wide variety of diverse needs in the broad geographic districts and regions of the County and supporting activities that are consistent with the goals, objectives, policies and priorities set forth in the FY 2002 Consolidated Planning Process Policies adopted by the Board. To facilitate this process, in April, 2001 the County engaged the services of Tonya, Inc., a national consulting firm under contract to USHUD, to implement a comprehensive efficiency and operational review and re-engineering of the processes and procedures within the OCED Community Development Division. While the full implementation of the consultant's recommendations are expected to impact the Consolidated Planning and Funding Allocation processes during 2002 for the FY 2003 Action Plan year and beyond, interim steps were taken to engage the consultants in the implementation of several modifications and improvements which have impacted the project evaluation and selection process relative to the FY 2002 RFA. Tonya, Inc. made an interim progress report presentation to the Board prior to the start of the public hearing on November 15, 2001.

HOME, SHIP and Surtax Evaluation Process

Funding recommendations for the program were made within the following parameters:

- \$1 million set-aside was available for homeless housing projects.
- The maximum funding allocable to any one housing project was \$1,000,000 - an additional \$200,000 can be awarded to a mixed use housing project that includes housing for homeless and formerly homeless persons through a set aside of units.
- \$2 million set aside was available for the construction of Section 8 project based elderly developments around the Scott/Carver Homes HOPE VI target area.
- In conjunction with U.S. HUD'S faith based initiative, \$550,000 will be available for no more than 45 units to provide permanent rental housing for special needs population in areas of HIV concentration.
- \$600,000 will be allocated to the Miami-Dade Community Development Corporation to acquire properties to joint venture with area CDC's and private developers to build infill housing.

Applications for HOME, SHIP and Surtax Program funds were reviewed principally by the Miami-Dade Housing Agency in close consultation with staff of OCED and the Homeless Trust. Evaluation criteria included factors such as commitment of financing from other sources, unit affordability, costs of construction, leveraging, economic feasibility, experience and capacity of the development team and ability to proceed. The review of these applications was coordinated with OCED to prevent the duplication of funding from other County sources or funding beyond the stated needs of the proposal.

The staff of the Office of Homeless Trust also participated in the review and evaluation process.

ROLE OF THE TASK FORCE ON URBAN ECONOMIC REVITALIZATION IN THE FUNDING RECOMMENDATION PROCESS

OCED's funding recommendations for the CDBG Economic Development category were provided to the UERTF on October 5, 2001. Consistent with the requirements of Ordinance No. 97-33, the UERTF after review of OCED funding recommendations and agency presentations, made its own funding recommendations which are indicated in Exhibit 1. The UERTF recommendations were initially submitted to OCED on November 1, 2001 with revisions submitted to OCED on November 14, 2001.

Please note that in the event of any difference between the County Manager's recommendation and those of the Task Force, it will require a 2/3 vote of the members of the Board of County Commissioners to approve the County Manager's recommendation.

ROLE OF THE OVERALL TENANT ADVISORY COUNCIL (OTAC) IN THE FUNDING RECOMMENDATION PROCESS

As the result of the Adker Consent Decree issued by the U.S. District Court, Southern District of Florida on June 24, 1998, "the County shall allocate 25 percent of its future annual allocable CDBG funds for five years, commencing with the FY2000 Action Plan, for housing and community and economic development programs and infrastructure improvements in neighborhoods surrounding public housing developments." Allocable CDBG funds are the total amount of CDBG funds appropriated in the Annual Action Plan less the 20 percent maximum allowed by U.S. HUD for the County's administrative expenses. The allocated CDBG funds shall be spent in accordance with priority needs identified relative to public housing and the surrounding neighborhoods through the County's Citizen Participation Process which is mandated by HUD's Consolidated Planning requirements. Moreover, the County shall have no financial obligation to fund any such amount of programs and improvements other than from the CDBG funds actually paid or pledged to it by HUD.

In order for the County to be in compliance with the Adker Consent Decree requirement, the funding recommendations for the annual expenditure of CDBG funds must ensure that an amount not less than 25% of the allocable amount of CDBG funds, less the 20% allowed for administration, is allocated for eligible activities and programs benefiting the residents of public housing developments. With specific reference to the FY 2002 Action Plan, the proposed allocation of \$23,178,600 in CDBG funds means that at least 25% of the amount remaining after allowing for the 20% expenditure for administration or at least \$4,635,720 $((\$23,178,600 - 20\%) \times 25\%)$ must be allocated for programs and activities benefiting the residents of public housing developments.

In accordance with the provisions of the consent decree, the Overall Tenant Advisory Council (OTAC) has been identified as the entity representing the interests of public housing residents relative to reviewing the recommendations of OCED staff and recommending activities and programs benefiting the residents of public housing developments.

To the extent that the County Manager's funding recommendations relative to activities and programs benefiting public housing residents are **not** in agreement with those of OTAC, the funding recommendations provided by OTAC will be implemented, unless modified by a two-thirds (2/3) vote of the Board of County Commissioners.

APPEAL PROCESS FOR AGENCY FUNDING APPLICATIONS

The applications, submitted through the annual RFA process, were carefully evaluated by staff for completeness and accuracy and scored on numerous criteria. A review of the scoring forms provided for applicants in the RFA, clearly shows the thorough evaluation that was given to each proposed activity by staff. Subsequent to evaluation/scoring, staff made funding recommendations based on considerations including the strength of the application and its responsiveness to focus area high priority needs, as detailed in the

1998-2002 Consolidated Plan. Additionally, staff's recommendations were developed to ensure that they carefully adhered to the Board approved Consolidated Plan Policies. At the time that agencies were advised in writing on October 5, 2001 of the staff's funding recommendations, the agencies were also advised that the evaluations related to their applications could be obtained and discussed with the appropriate staff during a formal review process which started on October 9, 2001 and ended on October 19, 2001. During these consultations with agencies, every effort was made to ensure that any questions regarding the evaluation of applications would be fully addressed prior to the Board's consideration of the County Manager's funding recommendations. While staff made a concerted effort to address agency inquiries as fairly and thoroughly as possible, any agency could still avail itself of the opportunity to address the Board during the required public hearing preceding the adoption of the FY 2002 Action Plan.

The Board is advised that relative to the formal appeals, a number of agencies submitted letters and other correspondence to OCED regarding evaluation concerns well after 10/19/01. OCED staff has made every effort to review and respond to all such evaluation inquiries prior to the public hearing that concluded on 11/29/01 after having been continued from 11/15/01.

4. FY 2000 COMMUNITY DEVELOPMENT BLOCK GRANT

The available FY 2002 CDBG allocation is estimated at \$23,178,600 (Entitlement - \$22,678,600 + Program Income -\$500,000). Official notification of the County's final entitlement from U.S. HUD is expected in late January, 2002 or February, 2002.

Funding recommendations for activities, programs, and projects for focus areas and eligible block groups have been prepared based on the needs identified by residents at meetings held at the neighborhood and commission district levels.

Funding recommendations were prepared for CDBG housing service delivery costs in support of HOME, SHIP and Surtax projects based on the analysis of an agency's funding history and performance results or progress.

(a) Funding for Administration

The proposed allocation of administrative support funding totaling \$4,535,700, or 20% of the total entitlement, is as follows: OCED's program administration, including management, financial community planning, contract development and monitoring, and grantee performance reporting and compliance, (\$3,481,368); the Office Historic Preservation, (\$170,332); other County departments (\$709,000) to include: C.A.A.'s Citizen Participation Program, Planning and Zoning Department's Focus Area Planning and Environmental Review and Assessment Assistance Program. HOPE, Inc. is funded at \$175,000 for the continuation its Fair Housing Education and Outreach program.

Federal regulations cap the funding allocation for administration in each Action Plan year at 20% of the total entitlement plus program income. Total funding requests for this category in FY 2002 amounted to \$5.7 million.

OCED'S ADMINISTRATIVE BUDGET SUMMARY

FUNDING SOURCE	FY 99-00 ACTUAL	FY 00-01 BUDGET	FY 01-02 BUDGET
GENERAL FUND	269,000	369,000	496,000
CDBG (ADMIN.)	1,583,122	4,265,145	3,826,700
CDBG (PROGRAM)	1,793,841	1,470,137	1,573,290
HOME (ADMIN.)	0	575,000	1,111,162
SHIP (ADMIN.)	100,000	100,000	0
FEDERAL ENTERPRISE COMMUNITY GRANT	264,545	500,000	0
ENTERPRISE ZONE TAX ABATEMENT FEES	10,944	25,000	25,000
HATF	0	0	30,500
CDBG DR	820,936	0	0
HOME DR	625,956	0	0
HOME SDR	1,765,489	0	0
TOTAL	7,247,906	7,304,282	7,062,652
STAFF POSITIONS	FY 99-00 ACTUAL	FY 00-01 BUDGET	FY 01-02 BUDGET
COUNTY FTES	88	89	91
APPROVED OVERAGES	0	0	0
TEMP. AGENCY FTES	0	0	0

It is noted that the FY 2002 CDBG administration allocation to OCED is some \$175,000 below the amount approved in the FY 2001-2002 budget. The Board is hereby advised that in the next few months a plan amendment will be presented to allocate this amount from additional FY 2002 or prior year CDBG funds.

(b) Funding for Capital Improvements

A total of \$2,671,000 is recommended for capital improvement projects identified in the FY 2002 Action Plan. This represents 12% of the total CDBG allocation. In FY 2001, 11% or \$2,596,522 was allocated to capital improvement projects. Project funding recommendations in this category will assist a number of infrastructure design and construction improvements. Some of the recommended capital improvement projects are requested from the small municipalities that participate in Miami-Dade's Urban County Entitlement designation. In addition, a number of capital improvement projects serving needs and residents in low and moderate-income neighborhoods are recommended. Total funding requests in this category amounted to \$35.3 million.

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(c) Funding for Economic Development

FY 2002 funding recommendations for economic development activities as revised subsequent to the original recommendations have been reduced from a total of \$6,244,700 to a total of \$4,592,074 compared to \$4,060,842 for FY 2001. This represents nearly 20% of the total CDBG allocation, compared to 17% in FY 2001. Total funding requests in this category amounted to \$25.9 million. Included in the recommendations are: \$500,000 for the Community Development Revolving Loan Fund Program; \$225,000 for the State/County Enterprise Zone Program; \$250,000 for the Commercial Revitalization Program in Targeted Urban Areas; \$750,000 for Commercial Revitalization in multi focus areas; \$375,000 for micro-enterprise lending in multi focus areas and empowerment and enterprise zones, and \$125,000 for micro lending in Targeted Urban Areas. These programs are designed to meet the needs of small and minority business owners for long-term working capital and fixed asset financing, to support the rehabilitation of commercial corridors and the growth and expansion of micro-businesses. These programs as reflected in the County Manager's funding recommendations are consistent with the high priority needs for economic development in CDBG focus areas and eligible block groups, as identified in the FY1998-2002 Consolidated Plan, the FY 2001-2002 County Budget, and for the revitalization of Targeted Urban Areas (TUAs) consistent with the Task Force's Urban Economic Revitalization Plan.

As previously noted, in the event of any difference between the County Manager's funding recommendations and those of the Task Force, a 2/3 vote of the members of the Board of County Commissioners is required to approve the County Manager's recommendation.

Please be advised that as requested by Ordinance No. 97-33 which created the Task Force on Urban Economic Revitalization, the FY 2002 CDBG Economic Development funding recommendations were presented to the Task Force for review.

A review of the funding recommendations for the CDBG economic development category indicates that there are differences in the funding recommendations relative to TUA-related economic development activities between the UERTF and the County Manager's recommendations. In fact, in 12 out of 15 instances there are differences in the UERTF and County Manager's recommendations for various agencies. Please refer to the table below and to the attached summary comparison of the UERTF and County Manager's recommendations for the CDBG economic development category.

ATTACHMENT I

FUNDING ADJUSTMENTS MADE BY BCC ON DECEMBER 4, 2001			
COUNTY MANAGER RECOMMENDATION		BCC REDISTRIBUTION	
Agency/Project	Amount	Agency/Project	CDBG Amount
OCED - HIBISCUS STREET IMPROVEMENTS	\$475,000	CENTRO CAMPESINO - NEIGHBORHOOD CENTER EQUIPMENT	\$25,000
		NARANJA / PRINCETON CDC - SERVICE DELIVERY SUPPORT - MOODY DRIVE	\$50,000
		RICHMOND HEIGHTS CDC - SCATTERED SITE LAND ACQUISITION	\$25,000
		GOULDS CDC - SERVICE DELIVERY SUPPORT, COLONIAL DRIVE	\$100,000
		WEST PERRINE CDC - SCATTERED SITE II	\$125,000
		- SCATTERED SITE III	\$125,000
		JESCA - OLIVIA EDWARDS (RICHMOND HEIGHTS) CENTER	\$25,000
ESTELLA - COMMUNITY CENTER	\$35,000	JESCA - OLIVIA EDWARDS (RICHMOND HEIGHTS) CENTER	\$35,000
MIAMI-DADE HEALTH DEPT. - RODENT CONTROL	\$22,500	ENTERTAINMENT INDUSTRY INCUBATOR - TECHNICAL ASSISTANCE	\$22,500
MIAMI-DADE DHS - PARENTING SKILLS - ROLE MODEL	\$30,000 \$20,000	AMERICAS COMMUNITY CENTER, INC. - WORKING TOGETHER FOR A BETTER FUTURE	\$60,000
MIAMI-DADE HOUSING AGENCY - FAMILY SELF SUFFICIENCY	\$10,000		
MIAMI-DADE OCED/ED - ECONOMIC RESERVE	\$26,650	HAITIAN AMERICAN FOUNDATION - ELDERLY SERVICES	\$38,350
OCED - LAND ACQUISITION	\$11,700	HAITIAN AMERICAN FOUNDATION - JOB DEVELOPMENT	\$38,300
- LAND ACQUISITION	\$38,300		
OCED - GLENWOOD STREET IMPROVEMENTS	\$550,000	JUBILEE CDC - PUEBLO DEL SOL - SERVICE DELIVERY	\$75,000
		RAFAEL HERNANDEZ - BUSINESS DEVELOPMENT	\$75,000
		ST. AGNES CDC - CHILDCARE	\$75,000
		FANM AYISYEN NAN MYAMI, INC. - CLOTHING INCUBATOR	\$100,000
		- WOMEN EMPOWERMENT	\$75,000
		LITTLE HAITI HOUSING ASSOCIATION - SMALL BUILDING REHAB	\$75,000
		FRATERNIDAD NICARAGUENSE, INC. - HELPING HANDS	\$50,000
		ADE - EDUCATION COORDINATION	\$25,000
OPA-LOCKA CDC - AIRPARK	\$150,000	OPA-LOCKA CDC - STADIUM CORNERS SHOPPING CENTER	\$150,000

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FUNDING ADJUSTMENTS MADE BY BCC ON DECEMBER 4, 2001

COUNTY MANAGER RECOMMENDATION		BCC REDISTRIBUTION	
Agency/Project	Amount	Agency/Project	CDBG Amount
ONE ACCORD CDC - TECHNICAL ASSISTANCE	\$50,000	OPA-LOCKA CDC - STADIUM CORNERS SHOPPING CENTER	\$50,000
ONE ACCORD CDC - SENIOR REJUVENATION PROJECT BOLD NEW VISION - CHOSEN GENERATION ACADEMY NORTH DADE CDC - WAGES	\$78,520 \$95,000 \$31,440	ALLICANCE FOR MUSICAL ARTS - MUSICAL ARTS THEATER & TUTORING CITYH OF OPA-LOCKA - CRIME PREVENTTION MIAMI CHILDRENS CENTENNIAL PROJECT - YOUTH ENTREPRENEURIAL PROJECT RESTORATION & RECONCILIATION - Y.I.E.L.D.S ST. THOMAS - KIP CONCERNED AFRICAN WOMEN - NEW DIMENSIONS IN COMMUNITY EDUCATION	\$38,180 \$30,000 \$31,440 \$63,906 \$26,820 \$14,614
OCED - LAND ACQUISITION	\$60,000	BAME DEVELOPMENT - SERVICE DELIVERY SUPPORT FOR HOUSING	\$60,000
COUNTY MANAGER RECOMMENDATION		BCC REDISTRIBUTION	
Agency/Project	Amount	Agency/Project	HOME Amount
OCED - CHDO RESERVE	\$25,000	MODEL HOUSING COOP. - CHDO SUPPORT - VILLAS DR. GODOY	\$25,000
OCED - CHDO RESERVE	\$30,000	CENTRO CAMPESINO - CHDO SUPPORT - HACIENDA WEST	\$30,000
COUNTY MANAGER RECOMMENDATION		BCC REDISTRIBUTION	
			SURTAX Amount
MIAMI DADE HOUSING AGENCY - RESERVE	\$1,000,000	PINNACLE HOUSING GROUP - PINNACLE PARK	\$1,000,000

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**FY 2002 TUA-Related Economic Development Recommendations:
 UERTF compared with County Manager's Recommendations**

Agency	UERTF Recommendation as of 11/01/01	UERTF Recommendation as of 11/14/01	CM's Recommendation As of 12/03/01
Black Economic Development Coalition	490.000	490.000	490.000
Neighbors and Neighbors Association – Technical Assistance	270.000	270.000	270.000
North Dade Community Federal Credit Union	250.000	250.000	250.000
Neighbors and Neighbors Association – Wholesale Distribution Center	42.500	50.000	300.000
79 th Street Corridor Neighborhood Initiative, Inc.	170.000	200.000	170.000
Miami-Dade OCED – Micro Enterprise Lending – TUAs	-0-		125.000
Miami-Dade OCED – CD/RLF – TUAs	-0-		500.000
Miami-Dade OCED – State Enterprise Zone Program	-0-		225.000
Miami-Dade OCED – Micro Enterprise Lending	N/A	N/A	375.000

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Agency	UERTF Recommendation as of 11/01/01	UERTF Recommendation as of 11/14/01	CM's Recommendation
Miami-Dade OCED – Commercial Revitalization Program – Multi- Focus Areas	N/A	N/A	750.000
Miami-Dade OCED – Support Services for Development of Acquired Parcels	-0-		112.000
Local Initiatives Support Corporation – Econ. Dev. Technical Assistance	N/A	N/A	200.000
Service Corps of Retired Executives	-0-		145.900
One Accord Community Development – Training and Technical Assistance	-0-		50.000
Human Services Coalition of Dade County – People's Portal Project – Econ. Dev.	-0-		100.000
Opa-Locka CDC – Opa-Locka Industrial Park	-0-		250.000
Little Haiti- Edison Federal Credit Union	136.000	160.000	-0-
Contractor's Resource Center – Technical Assistance for Construction	153.000	180.000	-0-
Contractor's Resource Center – Technical Assistance for Financing	82.526	97.089	-0-

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Agency	UERTF Recommendation as of 11/01/01	UERTF Recommendation as of 11/14/01	CM's Recommendation
Fanm Ayisyen Nan Miyami. Inc. – Clothing Manufacturing Incubator	292,107	343,655	-0-
Goulds CDC – Goulds Store Porch	185,980	218,800	-0-
Contractor's Resource Center – Technical Assistance for Construction Trades Placement	69,340	81,577	-0-
Haitian American Foundation – Creole Market Micro Business	311,255	366,182	-0-
Richmond Heights CDC – Richmond Heights Commercial Corridor	170,000	200,000	-0-
Haitian Organization of Women – Micro Enterprise Technical Assistance	297,500	350,000	-0-
West Perrine CDC – Design Center	-0-	300,000	-0-
Reserve for Econ. Development	N/A	N/A	29,174
TOTAL	\$2,920,208	\$3,557,303	\$4,592,074
TUA Related Allocations			\$3,237,900

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Please note that the County Manager's initial recommendations included funding of a reserve for economic development activities in the amount of \$1,681,800. It had been recommended that the allocation of these funds for specific programs and projects be determined through review by the Board's Economic Development and Housing Committee. Among several options it had been recommended that the Committee consider allocating these funds as additional resources to expand the County's high priority economic development programs such as the Community Development Revolving Loan Fund, Commercial Revitalization Program, and Micro Enterprise Lending. The Board is now being advised that this Reserve is being reduced by the amount of \$1,652,626 in an effort to more effectively fund priority public service needs during FY 2002. The present recommended level for the reserve is \$29,174 and it is noted that should the County receive an amount of CDBG entitlement funding above the FY 2002 projection consideration will be given to increasing this amount for the stated economic development purposes.

In an effort to resolve the differences between the UERTF and the County Manager's recommendations relative to those TUA-related activities, staff has reviewed the merits of the UERTF recommendations and taken into consideration any additional differences that may be reflected in the funding recommendations. With regard to OTAC, there are differences with regard to the funding recommendations for the OCED State Enterprise Zone Program and the OCED Micro Enterprise Lending Program for multi-focus areas. OTAC would fund these programs at \$40,000 and \$100,000 respectively compared to the County Manager's recommended funding levels of \$225,000 and \$375,000 respectively. As the result of these considerations, it is recommended that the Board adopt, by way of the necessary 2/3 vote, the County Manager's CDBG economic development category recommendations.

(d) Funding for Historic Preservation

The funding recommendations for Historic Preservation activities amount to \$200,000, or less than 1% of the total CDBG allocation, compared to \$444,535 or 2% in FY 2001. Additional funding related to Historic Preservation is allocated in the Administration category in the amount of \$170,332 to support the County's Office of Historic Preservation. Requests for funding in this category total nearly \$1 million.

(e) Funding for Housing Activities

Of the total proposed FY 2002 allocation, \$4,576,799 or 20%, is recommended for housing activities. This is a decrease on a percentage basis over the FY 2001 allocation of \$5,438,148 or 23%. The policy guideline for housing activities undertaken by community development corporations (CDCs) represents a goal of 15%. The recommended FY 2002 percentage is 7.4% or \$1,707,907, compared to \$2,739,578 or 11.7% in FY 2001. The policy guideline for land acquisition represents a goal of 5%. It is recommended that \$340,000 or 1.5% of the estimated FY 2002 funding be allocated for land acquisition. The FY 2001 allocation was

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\$275,000 or 1.2%. The recommended level of expenditure will provide funding for very limited new land acquisition. It will serve to facilitate ongoing efforts to emphasize the disposition of the already available land in the OCED existing inventory. Requests for funding in the housing category total \$19.5 million.

The funding strategy for the housing category generally provides funding for non-County activities at 50% of the requested amount for activities that scored from 55-64; 60% of the requested amount for activities that scored from 65-69; and 65% of the requested amount for activities that scored at 70 and above. Funding for County department activities is based on requirements determined through the FY 2001-2002 budget process.

(f) Funding for Public Services

Federal regulations cap the funding allocations to public services at 15% of the total entitlement plus program income. This cap excludes funding for activities in the specially designated Neighborhood Revitalization Strategy Areas (NRSA). The FY2002 recommended allocation has been revised from the original recommended amount of \$4,950,401 or 21% to a total of \$6,603,027 or 29%. Approximately \$1,239,915 million of public service activities directly serve NRSA's and an additional \$2,045,530 allocated to multi focus areas can reasonably be apportioned to NRSA's bringing the total allocated for NRSA's to approximately \$3,285,445 million. The amount allocated to non NRSA's is approximately \$1,664,956 or 7.2%, which is within the 15% cap.

Requests for public service funding through the FY 2002 RFA process totaled approximately \$32.5 million. High priority public service activities included childcare, youth programs, employment training and senior services.

During the course of the public hearings held on November 15, 2001 and November 29, 2001 the administration has fully noted the Board's interest in expanding opportunities to fund needed public service programs. Most particularly the administration has noted the concern expressed regarding the initial funding recommendations for the CDBG public services category which provided no funding recommendations for some 47 public services activities which are currently funded and which had submitted FY 2002 RFA requests for continuation funding. As the result, the funding recommendations for the public services category have been modified to reflect the following: (a) for those activities that scored 55-64 funding is recommended at 40% of the requested amount but generally not more than \$95,000 for a new Action Plan activity, and at a funding level not less than 105% of the FY 2001 Action Plan funding amount or at least \$25,000 for a continuing activity; (b) for those activities that scored 65 and above funding is recommended at 60% of the requested amount but generally not more than \$125,000 for a new Action Plan activity, and at a funding level not less than 110% of the FY 2001 Action Plan funding amount for a continuing activity; (c) in an effort to mitigate the adverse

impact of de-funding those approximately 47 currently funded activities that scored below 55, FY 2002 funding is being recommended to provide transitional funding at a reduced level of 50% of the current funding allocation (e.g. the current funding allocation includes FY 2001 CDBG funding and allocations of CDBG funds which have been made by plan amendments approved during 2001).

The Board is advised that ongoing efforts will continue to maximize the ability to reallocate prior year recaptured CDBG funds in support of additional public services. Through consultation with the Board, the administration will establish agency and activity priorities for specific public services to be considered for any recaptured or additional funding that may become available. The Board is advised that priority for funding through CDBG recaptures for public services will be given to identifying continuing support for Sisters and Brothers Forever and Fifty-Five Years and Up.

As the administration considers the allocation of future CDBG funds including recaptured funds, it may be worthwhile to give consideration to the implementation of alternative strategies to more effectively allocate these scarce resources for maximum efficiency in furthering service delivery for the benefit of the public. In considering such an alternative a specific example could be the provision of child care services where as an alternative to providing limited funding of \$20,000 in response to a community-based organization's (CBO) request for \$100,000 in total funding, an alternative option could be considered involving the allocation of that \$20,000 to an established Headstart Program operator where that funding could be more efficiently used to provide direct child care services as opposed to being used by the CBO to primarily fund administrative overhead.

(g) **Funding for Activities Benefiting the Residents of Public Housing Developments**

As a result of the Consent Decree issued by the U.S. District Court Southern District of Florida on June 24, 1998, the County has to allocate 25% of its future annual allocable CDBG funds for five years, commencing with the FY 2000 Action Plan, for Housing and Community and Economic Development and Infrastructure Improvements in neighborhoods surrounding public housing developments. "Allocable CDBG funds" are the total amount of CDBG funds appropriated in the Annual Action Plan less the 20% maximum allowed by HUD for the County's administrative expenses.

Using the formula, a minimum of \$4,635,720 of FY 2002 CDBG funds must be spent in areas surrounding public housing developments. In the FY 2002 Action Plan, a total of approximately \$14,920,860 in diverse activities, programs, and improvements benefiting the residents of public housing are being recommended for CDBG funding. This amount compares favorably with the amount of \$10,228,468 in CDBG funds for public housing benefit activities in the FY 2001 Action Plan.

OCED has coordinated with MDHA to facilitate the review of the FY2002 funding recommendations by OTAC. for consistency with the requirements of the Adker Consent Decree. A series of meetings has been held with OTAC in this regard. Please note that OTAC's recommendations for funding activities are listed in Exhibit I and to the extent that there are differences between OTAC's recommendations and the County Managers recommendations a 2/3 vote of the Board will be required to approve the County Manager's recommendation.

It is requested that the Board take careful note that there is \$266,150 or 6% full agreement between the recommendations of OTAC and the County Manager's funding recommendations relative to the minimum funding requirement of \$4,635,720. Please refer to the attached schedule that presents a summary comparison of the OTAC and County Manager funding recommendations. OTAC's recommendations were received on October 16, 2001.

An analysis of the OTAC funding recommendations compared to the County Manager's recommendations indicates the following:

- OTAC's recommendations are in full agreement with the County Manager's recommendations with regard to 3 of the 53 specific funding allocations recommended by OTAC, for a total of \$266,150.
- OTAC's recommendations reflect funding reductions for agencies in 21 of the 41 recommended funding allocations. The recommended funding for the 21 impacted agencies is reduced in total by \$979,688 from \$2,694,597 in the County Manager's recommendations to a total of \$1,714,909 in OTAC's recommendations.
- OTAC's recommendations reflect funding increases for agencies in 20 of the 41 recommended funding allocations. The recommended funding for the 20 impacted agencies is increased in total by \$955,062 from \$851,544 in the County Manager's recommendations to a total of \$1,806,606 in OTAC's recommendations. Included in the OTAC proposed funding recommendations are 9 agencies totaling \$748,055 which are not included in the County Manager's recommendations.

The Board is advised that in order to implement the OTAC funding recommendations, it will be necessary to make funding reductions in the amount of \$723,429 among the recommended CDBG activities which have been identified as benefiting public housing, which total some \$14.9 million. Attached as an Exhibit to this memo, please see the attached OTAC Funding Recommendations schedule.

In light of the wide-ranging, across-the-board impact of OTAC's proposed funding reductions on numerous agencies, it is recommended that the Board approve the County Manager's funding recommendations by a 2/3 vote and override OTAC's recommendations to fund various new activities for a total of \$748,055; to increase funding for various activities by a total of \$979,688; and to reduce recommended funding for activities by a total of \$955,062.

(h) Funding for Activities in Entitlement Cities based on Metropolitan Significance Criteria

Activities with metropolitan significance that are located in the entitlement cities of Miami, Miami Beach, North Miami and Hialeah are recommended for a total of \$1,004,457 or 4.3% in FY 2002 of the total CDBG allocation, compared to \$2,001,972 or 8.5% in FY 2001.

In recommending funding for activities in other entitlement cities, staff was especially mindful of U.S. HUD's Final Rule issued in November 1995, which stated that CDBG funds may assist an activity outside the jurisdiction of the Grantee only if the Grantee determines that such activity is necessary to further the purposes of the Housing and Community Development Act and the recipients community development objectives, and that reasonable benefits from the activity will accrue to the residents of the jurisdiction of the Grantee. This new language, to some extent, restricts the number of activities that can be recommended for funding. Additionally, consideration was given to the consistency of the activity with the high priority needs identified in the particular jurisdiction's Consolidated Plan.

In accordance with the approved FY 2002 Consolidated Planning Process Policies, funding for activities in entitlement jurisdictions participating in the State of Florida Small Cities CDBG Program is limited to those activities which demonstrate Metropolitan Significance and are consistent with the high priority needs identified in that jurisdiction's Consolidated Plan. Further, in order to be eligible for CDBG funding from Miami-Dade County, an activity in either a Small Cities Program area (such as the cities of Homestead and Florida City) or an entitlement jurisdiction, will have to pass an eligibility determination test that demonstrates that the majority of its program benefits has benefited the County's unincorporated or entitlement area in the past.

FUNDING FOR ENTITLEMENT CITIES

Entitlement Area	1990 Population	1990 Low/Mod Population	FY 2001 Entitlement Amount	FY 2002 * (EST.) Entitlement Amount	Low/mod Per Capital Entitlement Allocation
Hialeah	188,008	91,436	\$5,594,000	\$5,594,000	\$61
**Homestead	26,694	15,308			
**Florida City	5,978	3,681			
Miami	358,548	215,293	13,148,000	13,148,000	61
Miami Beach	92,639	54,144	2,867,000	2,867,000	53
North Miami	50,001	22,656	1,105,000	1,105,000	49
Subtotal	721,868	402,518	22,714,000	22,714,000	56
Miami-Dade	1,215,226	417,813	23,024,000	22,678,600	54
Dade County	1,937,094	820,331	45,738,000	45,392,600	55
Total/Average					

*Based on the assumption that the FY 2002 funding will be maintained at the FY 2001 level.

** The cities of Florida City and Homestead no longer participate in the County's program. They participate in the Small Cities CDBG program administered by the State of Florida.

(i) Neighborhood Revitalization Strategy Areas

In 1996, U.S. HUD allowed entitlement jurisdictions to designate distressed areas that meet certain criteria as Neighborhood Revitalization Strategy Areas (NRSAs). Miami-Dade County has so far designated the following areas as (NRSAs):

- Opa-Locka Focus Area
- Model City Focus Area
- Perrine Focus Area
- Goulds Focus Area
- Leisure City Focus Area
- Melrose Focus Area
- Coral Gables (formerly Coconut Grove) Focus Area
- West Little River Focus Area
- South Miami Focus Area
- Federal Enterprise Community/ Empowerment Zone

NRSAs qualify for the following benefits:

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Job Creation/Retention as Low/Moderate Income Area Benefit: Job creation/retention activities undertaken pursuant to the strategy may be qualified as meeting area benefit requirements, thus eliminating the need for a business to track the income of persons that take, or are considered for such jobs.

Aggregate Public Benefit Standard Exemption: Economic development activities carried out under the strategy may, at the grantee's option, be exempt from the aggregate public benefit standards, thus increasing a grantee's flexibility for program design as well as reducing its record-keeping requirements.

Public Service Cap Exemption: Public services carried out pursuant to the strategy by a Community-Based Development Organization (CBDO) will be exempt from the public service cap.

5. EMERGENCY SHELTER GRANT (ESG) ACTIVITIES

The process and criteria for awarding ESG funds, along with the source and amount of matching funds, involve the estimated \$750,000 in expected grant funds. It is recommended that these funds be contracted to Camillus House to continue to operate the County's Beckham Hall facility. Single males comprise approximately 62% of the homeless population in Miami-Dade County. Beckham Hall will provide temporary shelter and services for some 1,200 homeless males over the next year.

The match will be based upon funds that Miami-Dade County provides for the annual operation of the homeless programs and facilities in Miami-Dade County. A match of 100% is required.

6. HOME INVESTMENT PARTNERSHIP PROGRAM

It is anticipated that Funding Recommendations for the HOME Program will total \$7,347,300 in FY 2002, including an allocation of \$1 million in program income. The HOME Program provides funds for permanent and construction loans, and first and second mortgage financing to assist very-low and low-income to moderate income families, to purchase or rent developed affordable housing units:

634,730	Program Administration
195,000	CHDO Operating Support
2,895,205	Project Development
2,000,000	Deep Subsidy Homeownership
1,000,000	Tenant-Based Rental Assistance
122,365	Reserve for CHDO Support
500,000	Reserve for Projects
7,347,300	Total

7. STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

The SHIP Program allows flexible funding for housing development to meet local needs. SHIP funding expected to be available in FY 2001 /2002 is \$5,409,000. The recommended funding distribution is:

-0-	Program Administration
3,519,000	Rental Units
750,000	Homeownership
140,000	Homebuyer Counseling
1,000,000	Reserve
5,409,000	Total

Proposals being recommended for funding include \$750,000 for the new construction of homeownership units, \$140,000 for Homebuyer Counseling, \$4,519,000 for rental units and \$1,000,000 in Reserve. Funding recommendations are based on the evaluation of projects applying for SHIP funds that demonstrate a need for the funds requested. SHIP funding recommendations are included in Exhibit 1.

8. DOCUMENTARY STAMP SURTAX PROGRAM

The Surtax Program provides funds that primarily promote the new construction of homeownership units. A total of \$37,747,295 is available in FY 2002. An allocation of \$20,503,000 is being recommended for new rental units, \$14,479,500 for new homeownership units, \$320,000 for homeownership counseling \$944,795 for transitional housing for the homeless and \$1,500,000 in Reserves. Funding recommendations are based on the total amount of available affordable housing funding from all sources, and the review and evaluation of projects that applied for Surtax funds in the categories of homeownership by private developers, homeownership by CDCs and rentals by CDCs. Surtax funding recommendations are included in Exhibit 1.

9. CITIZEN PARTICIPATION, PUBLIC COMMENT PERIOD AND PUBLIC HEARING ON THE FY 2002 ACTION PLAN

U.S. HUD regulations require that:

- The County hold a minimum of two (2) public hearings at different stages of the FY 2002 Planning Process. The first public hearing requires input from citizens on housing and community development needs. The second public hearing is intended to obtain the view of the public on the FY 2002 Action Plan.
- The County makes the FY 2002 Action Plan available to the public for comments for a period of 30 days prior to approval of the funding recommendations by the Board of County Commissioners.

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From January, 2001 through October, 2001 approximately 77 public meetings were held by OCED and CAA to monitor the performance of ongoing activities and identify priorities in Commission Districts, focus areas and eligible block groups.

On May 24, 2001, the first required public hearing was held before the Board of County Commissioners to obtain public input on the FY 2002 Consolidated Planning Policies on which the FY 2002 Action Plan recommendations have been based.

On October 5, 2001, the County issued a public notice that informed the public of the availability of the FY 2002 Action Plan at specifically designated locations. The public notice also served to inform the general public that written comments on the plan will be accepted until November 4, 2001 and that there would be a public hearing tentatively scheduled for November 6, 2001, to discuss the FY 2002 Action Plan and the SHIP and Surtax funding recommendations. Subsequent to the advertisement on 10/5/01 the public and participating agencies were notified by further advertisements and letters that the public hearing would be held on November 15, 2001 before the Economic Development and Housing Committee and that the Board of County Commissioners would consider the approval of the proposed FY 2002 funding recommendations on December 4, 2001. All advertisement and public notices has informed all parties that the Board's deliberation on 12/4/01 will not be a public hearing.

10. CONTRACT APPROVAL FOR THE FY 2002 FUNDING ALLOCATIONS

With further regard to the Board's approval of the FY 2002 funding recommendations, the Board is hereby advised that no additional funds will be contracted to any currently funded agency that has unresolved monitoring findings, external audit findings, and/or delinquent County debt obligations as determined by OCED, MDHA or other staff in consultation with the Department of Audit and Management Services, Office of the Inspector General, and the Finance Department as may be necessary.

On December 4, 2001, the County Manager presented FY 2002 funding recommendations for the CDBG, HOME, ESG, SHIP and Surtax Programs. The Board accepted most of the County Manager's funding recommendations and made modifications to the others. The Board further requested funding consideration from recaptured funds for certain specific activities. The funding changes made by the Board are indicated in Attachment I and are incorporated in the amended Exhibit 1. The amendments resulted in the following adjusted total amounts in the CDBG program categories:

	<i>County Manager's Funding Recommendations</i>	<i>Adjusted amount as a result of BCC Action</i>
<i>Capital Improvement</i>	<i>\$2,671,000</i>	<i>\$1,646,000</i>
<i>Economic Development</i>	<i>4,592,074</i>	<i>4,762,924</i>
<i>Housing</i>	<i>4,576,799</i>	<i>5,176,799</i>
<i>Public Services</i>	<i>6,603,027</i>	<i>6,857,177</i>
<i>Historic Preservation</i>	<i>200,000</i>	<i>200,000</i>
<i>Administration</i>	<i>4,535,700</i>	<i>4,535,700</i>

It is to be noted that in the Board of County Commissioner's approved funding recommendations, the funding of activities under the Public Service category exceeds the 15% Public Service cap of \$3,476,790 by \$3,380,387. It is anticipated that the amount in excess of the cap will be accommodated through the flexibility provided under the Neighborhood Revitalization Strategy Areas (NRSA's) for public service expenditures. OCED will identify to U.S. HUD those FY 2002 public service activities, in an amount not less than \$3,380,387 related to the County's NRSA's. Further, as a result of the funding adjustments made by the Board, the Scope of Services and Budgets of the affected agencies will be modified accordingly.



MEMORANDU

TO:

Hon. Chairperson and Members
Board of County Commissioners

DATE: December 4, 2001

SUBJECT: Substitute
Agenda Item No. 6(J)(1)(A)

FROM: Robert A. Ginsburg
County Attorney

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires a detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary